

Supreme Court of Florida

No. 73,392

ROGER MARRERO, M.D.,
Petitioner,

vs.

DEPARTMENT OF PROFESSIONAL
REGULATION, FLORIDA STATE
BOARD OF MEDICINE,
Respondent.

[July 6, 1989]

SHAW, J.

We accepted jurisdiction in Department of Professional Regulation, Florida State Board of Medicine v. Marrero, 536 So.2d 1094 (Fla. 1st DCA 1988), based on conflict with Middlebrooks v. St. Johns River Water Management District, 529 So.2d 1167 (Fla. 5th DCA 1988). After reviewing briefs and arguments, and further considering the matter, we have determined there is no direct and express conflict of decisions and that the Court is without jurisdiction. The petition for review is denied.

No motion for rehearing will be entertained. Fla. R. App. P. 9.330(d).

EHRlich, C.J., and OVERTON, McDONALD, BARKETT, GRIMES and KOGAN, JJ.,
Concur

Application for Review of the Decision of the District Court
of Appeal - Direct Conflict of Decisions

First District - Case No. 87-1285
(Leon County)

Michael I. Schwartz, Tallahassee, Florida,
for Petitioner

M. Catherine Lannon, Assistant Attorney General, Tallahassee,
Florida,

for Respondent