IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH DISTRICT JULY TERM 2005

FLORIDA BIRTH-RELATED NEUROLOGICAL, ETC.,

Appellant,

V.

Case No. 5D03-3498

GORDON QUINN KOWLESSAR, AN INFANT, ETC., et al.,

Appellees.

Opinion filed September 20, 2005

Appeal from the Circuit Court for Volusia County, John W. Watson III, Judge.

Wilbur E. Brewton, General Counsel and Kelly B. Plante, of Roetzel & Andress, L.P.A., Tallahassee, and Donald H. Whittemore and Andrew W. Rosin, of Phelps Dunbar LLP, Tampa, for Appellant.

Kenton V. Sands and Larry Sands, of Sands White & Sands, P.A., Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED. See Romine v. Florida Birth Related Neurological Injury Compensation Association, 842 So. 2d 148 (Fla. 5th DCA 2003).

SHARP, W., PETERSON and SAWAYA, JJ., concur.