

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2005*

**305 DEVELOPERS, LLC,**  
a Florida limited liability corporation,  
Petitioner,

v.

**MARILYN A. BUCHALTER,**  
an individual,  
Respondent.

No. 4D05-1202

[September 7, 2005]

PER CURIAM.

We grant the petition for writ of certiorari and quash the order granting the motion to dissolve *lis pendens*. *Buchman v. Fishbein*, 537 So. 2d 704 (Fla. 4th DCA 1989); *Hallmark Builders, Inc. v. Hickory Lakes of Brandon, Inc.*, 458 So. 2d 45 (Fla. 2d DCA 1984). We remand to the trial court to hear the issue of notice and opportunity to be heard on the motion to dissolve, and if applicable, the issues of the propriety of *lis pendens* and the requirement of a bond, after hearing argument and considering any evidence presented by both sides.

STEVENSON, C.J., WARNER and POLEN, JJ., concur.

\* \* \*

Petition for writ of certiorari to the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Robert B. Carney, Judge; L.T. Case No. CACE 05-1815 (04).

Myrnabelle Roche and Frank V. Reilly of Reilly Roche LLP, Ft. Lauderdale, for petitioner.

Stanley J. Bartel of Law Office of Stanley J. Bartel, Miami, for respondent.

***Not final until disposition of timely filed motion for rehearing.***