

Supreme Court of Florida

No. SC06-1910

JAMES D. STERLING, et al.,
Petitioners,

vs.

THE OHIO CASUALTY INSURANCE COMPANY,
Respondent.

[October 11, 2007]

PER CURIAM.

We originally accepted jurisdiction to review the Second District Court of Appeal's decision in Sterling v. Ohio Casualty Insurance Co., 936 So. 2d 43 (Fla. 2d DCA 2006), based on express and direct conflict with other Florida appellate decisions. After further consideration, we have determined that jurisdiction was improvidently granted and that we should decline jurisdiction. See art. V, § 3(b)(3), Fla. Const. Accordingly, we hereby dismiss review.

It is so ordered.

LEWIS, C.J., and WELLS, ANSTEAD, PARIENTE, QUINCE, CANTERO, and BELL, JJ., concur.

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

Second District - Case No. 2D05-1875

(Hillsborough County)

George A. Vaka of Vaka, Larson, and Johnson, P.L., Tampa, Florida,

for Petitioner

Wayne Tosko of Vasquez and Tosko, LLP, Orlando, Florida

for Respondent