

Third District Court of Appeal

State of Florida, January Term, A.D. 2011

Opinion filed February 16, 2011.
Not final until disposition of timely filed motion for rehearing.

No. 3D10-857
Lower Tribunal No. 07-362 AP

City of Sunny Isles Beach,
Petitioner,

vs.

Publix Supermarkets, Inc.,
Respondent.

A Writ of Certiorari to the Circuit Court for Miami-Dade County, Cindy S. Lederman, William Johnson, and Marcia B. Caballero, Judges.

Hans Ottinot, City Attorney, and Fernando Amuchastegui, Assistant City Attorney; and Coffey Burlington, Kendall B. Coffey, Jeffrey B. Crockett, and David J. Zack, for petitioner.

Greenberg Traurig and Elliot H. Scherker, Paul R. Lipton, Bridgid F. Cech Samole, and Elaine D. Walter, for respondent.

Before GERSTEN, WELLS, and SUAREZ, JJ.

PER CURIAM.

The City of Sunny Isles Beach petitions this Court for a writ of certiorari quashing a per curiam reversal of the Eleventh Judicial Circuit Court, Appellate

Division (“Circuit Court”). We grant the petition as an appellate court cannot grant certiorari, thus quashing, an administrative decision, without providing reasons for so doing. Miami-Dade County v. Torbert, 39 So. 3d 482 (Fla. 3d DCA 2010); State Dep’t of Highway Safety & Motor Vehicles v. Trauth, 937 So. 2d 758 (Fla. 3d DCA 2006).

Accordingly, we grant the petition, quash the per curiam reversal issued below, and remand for the Circuit Court to issue a written opinion stating its reasons for granting certiorari.

Petition granted.