

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2011

CARLOS LANG, F. LANG
AND S. LANG, MINORS

Petitioners,

v.

Case No. 5D10-1533

JOHN BUSH, JR.,

Respondent.

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Opinion filed January 21, 2011

Petition for Certiorari Review of Order
from the Circuit Court for St. Johns County,
J. Michael Traynor, Judge.

James L. D'Andrea, C. Ryan Eslinger and
Lauren K. Jacobellis of Milton, Leach,
Whitman, D'Andrea & Milton, P.A.,
Jacksonville, for Petitioners.

Kirsten Doolittle of The Law Office of
Kirsten Doolittle, P.A., Jacksonville,
for Respondent.

PER CURIAM.

We deny the Petition for Certiorari. We conclude that the trial court applied the correct legal standard. See *O'Neal v. Sun Bank, N.A.*, 754 So. 2d 170, 172 (Fla. 5th DCA 2000) (Fifth Amendment may be invoked when deponent has "reasonable grounds to believe that direct answers to deposition or interrogatory would furnish a link in the chain of evidence needed to prove a crime against him."). Here, Petitioners have no

reasonable apprehension of criminal prosecution because the federal statute is not applicable and the statute of limitations has run on the applicable state crime.

PETITION DENIED.

ORFINGER, TORPY and EVANDER, JJ., concur.