

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

JANUARY TERM 2011

FLORIDA DEPARTMENT OF
AGRICULTURE, ETC.,

Appellant,

v.

Case No. 5D10-766

FRANK AYERS, ET AL.,

Appellee.

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Opinion filed July 8, 2011

Non Final Appeal from the Circuit Court
for Orange County,
Maura T. Smith, Judge.

Wesley R. Parsons of Clarke Silvergate,
P.A., Miami, for Appellant.

Julie H. Littky-Rubin, William S. Williams
and Nancy La Vista of Lytal, Reiter, Clark,
Fountain & Williams, LLP, West Palm
Beach, and Robert C. Gilbert of Grossman
Roth, P.A., Coral Gables, for Appellee.

PER CURIAM.

AFFIRMED. See *Fla. Dep't of Agric. & Consumer Servs. v. Bogorff*, 35 So. 3d 84
(Fla. 4th DCA), *rev. denied*, 48 So. 3d 835 (Fla. 2010); *Fla. Dep't of Agric. & Consumer
Servs. v. City of Pompano Beach*, 829 So. 2d 928 (Fla. 4th DCA 2002).

GRIFFIN, MONACO and TORPY, JJ., concur.