

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

PROGRESSIVE AMERICAN
INSURANCE COMPANY,

Appellant,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D03-3901

JULIE GLASS and TOMMIE
GLASS, wife and husband,

Appellees.

Opinion filed November 6, 2003.

An appeal from the Circuit Court for Escambia County.
Terry D. Terrell, Judge.

Mark J. Upton, of Daniell, Upton, Perry and Morris, P.C., Daphne, Alabama, for
Appellant.

Timothy M. O'Brien, of Levin, Papantonio, Thomas, Mitchell, Echsner & Proctor,
Pensacola, for Appellees.

PER CURIAM.

Having considered the appellant's response to this Court's order dated
September 17, 2003, we dismiss this appeal as premature. The appellant's motion to
relinquish jurisdiction, filed on September 29, 2003, is denied. See Nourachi v. South
Beaches Professional Park Owners' Ass'n, Inc., 841 So. 2d 618 (Fla. 1st DCA 2003).

WOLF, C.J., POLSTON and LEWIS, JJ., CONCUR.