

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

MAJESTIC SUN OWNERS'
ASSOCIATION, INC., etc.,

Petitioner,

v.

FLORIDA CONDOS I LIMITED
PARTNERSHIP, etc., et al.,

Respondents.

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

CASE NO. 1D04-1625

Opinion filed March 10, 2005.

Petition for Writ of Certiorari - Original Jurisdiction.

Leslie D. Sheekley, Esq. and Karen L. Arnett, Esq. of Chesser & Barr, P.A., Shalimar,
for Petitioner.

Lorence Jon Bielby, Esq. and John K. Londot, Esq. of Greenberg, Traurig, P.A.,
Tallahassee for Florida Condos I Limited Partnership; C. Jeffrey McInnis, Esq. and
Lawrence Keefe, Esq. of Anchors, Foster, McInnis & Keefe, P.A., Ft. Walton Beach
for Fairfield Resorts, Inc.; William S. Henry, Esq. of Burke & Blue, P.A., Panama
City for Seascape Resorts, Inc.; Thomas J. Roehn, Esq. of Carlton Fields, P.A., Tampa
for Fairfield Resorts, Inc.; Bruce D. Partington, Esq. of Clark, Partington, Hart, Larry,
Bond & Stackhouse, Pensacola for Florida Condos I Limited Partnership, Florida
Development Group, LLC, and Housing Developers, IV, LLC, for Respondents.

PER CURIAM.

We DENY the petition for writ of certiorari on the merits to the extent that petitioner argues that the trial court departed from the essential requirements of law in dissolving a notice of lis pendens. We DISMISS the petition to the extent that petitioner argues that the trial court erred in denying its request to amend its complaint as to certain counts. See Bared & Co. v. McGuire, 670 So. 2d 153, 157 (Fla. 4th DCA 1996) (holding that a petition for writ of certiorari should be dismissed if there has been an insufficient showing of irreparable harm and should be denied when it is determined that an order did not depart from the essential requirements of law); see also Venus Labs., Inc. v. Katz, 573 So. 2d 993, 994 (Fla. 3d DCA 1991); Sciabbarrasi v. Uddo, 466 So. 2d 19, 20 (Fla. 5th DCA 1985); Hawaiian Inn of Daytona Beach Inc. v. Snead Constr. Corp., 393 So. 2d 1201, 1201-02 (Fla. 5th DCA 1981).

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