

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

DB SURGICAL, INC. and
ZENITH INSURANCE
COMPANY,

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

Petitioners,

CASE NO. 1D08-5292

v.

GENE FOWLER, JR.,

Respondent.

Opinion filed December 12, 2008.

Petition for Writ of Certiorari – Original Jurisdiction.
Hon. Mark H., Hofstad, Judge.

Warren K. Sponsler, Sponsler, Bennett, Jacobs & Adams, P.A., Tampa, for
Petitioners.

Laurie Thrower Miles, Smith, Feddeler, Smith & Miles, Lakeland, for Respondent.

PER CURIAM.

Because Petitioners have not shown a departure from the essential requirements of law, or any material harm, the petition for writ of certiorari is DENIED on its merits. See e.g., Fla. Fish & Wildlife Comm'n v. Pringle, 770 So. 2d 696, 697 (Fla. 1st DCA 2000).

LEWIS and THOMAS, JJ., and LAWRENCE, JR., L. ARTHUR , SENIOR
JUDGE, CONCUR.