

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

JOAN JOHNSON,
Appellant,

v.

LEE TOWNSEND, LESLIE LYNCH, ELIZABETH DENECKE
and **LISA EINHORN,**
Appellees.

No. 4D18-432

[December 19, 2018]

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Karen M. Miller, Judge; L.T. Case No. 502015CP001096XXXNB.

Edward Downey, R. Lee McElroy IV, and Robert A. Wight of Downey | McElroy, P.A., Palm Beach Gardens, for appellant.

William E. Boyes of Boyes, Farina & Matwiczynk, P.A., Palm Beach Gardens, for appellees.

***ON APPELLANT'S MOTION FOR REHEARING AND/OR REHEARING EN BANC
OR TO CERTIFY QUESTION TO THE FLORIDA SUPREME COURT
AS A MATTER OF GREAT PUBLIC IMPORTANCE***

GERBER, C.J.

We deny appellant's motion for rehearing and/or rehearing en banc. However, we grant appellant's motion to certify to the Florida Supreme Court the following question of great public importance:

Whether a surviving spouse's vested community property rights are part of the deceased spouse's probate estate making them subject to the estate's claims procedures, or are fully owned by the surviving spouse and therefore not subject to the estate's claims procedures.

LEVINE and KLINGENSMITH, JJ., concur.

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No further motion for rehearing shall be permitted.