

# Supreme Court of Florida

---

No. SC00-1552

---

**EUGENE FRANCIS CLARKE et ux.,**  
Petitioners,

vs.

**UNITED SERVICES AUTOMOBILE ASSOCIATION, etc.,**  
Respondent.

[May 16, 2002]

PER CURIAM.

We initially accepted review of United Services Automobile Ass'n v. Clarke, 757 So. 2d 554 (Fla. 4th DCA 2000), based on apparent express and direct conflict with several decisions of this Court as well as with another district court decision. Upon closer examination, however, we find that jurisdiction was improvidently granted in this case. Therefore, we dismiss review of this cause.

It is so ordered.

WELLS, C.J., and SHAW, HARDING, ANSTEAD, PARIENTE, LEWIS, and  
QUINCE, JJ., concur.

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal -  
Direct Conflict

Fourth District - Case No. 4D98-4032

(Broward County)

Richard A. Sherman, of Law Offices of Richard A. Sherman, P.A., Fort Lauderdale,  
Florida; and Wilton L. Strickland of the Law Offices of Wilton L. Strickland, Fort  
Lauderdale, Florida,

for Petitioners

Betsy E. Gallagher and J. Bowen Brown, Tampa, Florida; and William M. Martin of  
Peterson, Bernard, Vandenberg, Zei, Geisler, Gallagher & Howard, P.A. & Martin,  
Fort Lauderdale, Florida,

for Respondent