

Supreme Court of Florida

No. SC11-1466

GERTRUDE PATRICK,
Petitioner,

vs.

LIONEL GATIEN, etc., et al.,
Respondents.

[November 1, 2012]

PER CURIAM.

We initially accepted jurisdiction to review the decision of the First District Court of Appeal in Patrick v. Gatien, 65 So. 3d 42 (Fla. 1st DCA 2011), based on express and direct conflict with the decisions of the Fifth District Court of Appeal in Novitsky v. Hards, 589 So. 2d 404 (Fla. 5th DCA 1991), and of this Court in Hillsborough County Hospital Authority v. Coffaro, 829 So. 2d 862 (Fla. 2002). See art. V, § 3(b)(3), Fla. Const.; Patrick v. Gatien, 79 So. 3d 745 (Fla. 2012) (table). Upon further consideration of the issues involved, we conclude that jurisdiction was improvidently granted. Accordingly, we hereby discharge jurisdiction and dismiss this review proceeding.

It is so ordered.

POLSTON, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, LABARGA,
and PERRY, JJ., concur.

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

First District - Case No. 1D10-966

(Duval County)

Jack William Shaw, Jr. of Jack W. Shaw, Jr., P.A., Winter Park, Florida and James
Alfred Stanley, Jr. of Meyers & Stanley, Jacksonville, Florida,

for Petitioner

Mary Bland Love and Michael David Kendall of Marks Gray, P.A., Jacksonville,
Florida,

for Respondent Thomas E. Abbey, D.O.