Supreme Court of Florida

No. SC11-2455

MARTIN COUNTY CONSERVATION ALLIANCE, et al., Petitioners,

VS.

MARTIN COUNTY, et al.,

Respondents.

[May 9, 2013]

PER CURIAM.

We initially accepted jurisdiction to review the decision of the First District Court of Appeal in Martin County Conservation Alliance v. Martin County, 73 So. 3d 856 (Fla. 1st DCA 2011), based on express and direct conflict. See art. V, § 3(b)(3), Fla. Const. After further consideration, we have determined that jurisdiction was improvidently granted. Accordingly, we hereby dismiss this review proceeding.

It is so ordered.

POLSTON, C.J., and LEWIS, CANADY, LABARGA, and PERRY, JJ., concur. PARIENTE, J., recused. QUINCE, J., did not participate.

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. 1D09-4956

(Martin County)

Richard Joseph Grosso, Ft. Lauderdale, Florida,

for Petitioners

Stephen Fry, County Attorney and David A. Acton, Senior Assistant County Attorney, Stuart, Florida; William L. Hyde, Tallahassee, Florida and Jack J. Aiello, West Palm Beach, Florida; and Richard E. Shine, Lathika Mary Thomas, and Sherry A. Spiers, Tallahassee, Florida

for Respondents

David A. Theriaque and S. Brent Spain, of Theriaque & Spain, Tallahassee, Florida,

for Amicus Curiae American Planning Assocation, Florida Chapter

Kathy Grunewald, Cindy Huddleston, and Anne Swelick, Tallahassee, Florida and Valory Greenfield, Miami, Florida; Christopher Michael Jones and Peter P. Sleasman, Newberry, Florida; Randall Challen Berg, Jr., Miami, Florida; and Jodi Siegel and Gabriela M. Ruiz, Gainesville, Florida,

for Amicus Curiae Florida Legal Services, Inc., Florida Institutional Legal Services, Inc., Florida Justice Institute, Inc., and Southern Legal Counsel, Inc.

Thomas W. Reese, St. Petersburg, Florida,

for Amicus Curiae Florida Wildlife Federation

Edith E. Sheeks, Senior Attorney, Tallahassee, Florida and David A. Boyer, Managing Attorney, Hollywood, Florida,

for Amicus Curiae Disability Rights Florida