

Supreme Court of Florida

No. SC99-140

ALINA GUERRA,
Petitioner,

vs.

THE CITY OF MIAMI BEACH,
Respondent.

[March 29, 2001]

CORRECTED OPINION

PER CURIAM.

We initially accepted review of the decision of the district court of appeal in City of Miami Beach v. Guerra, 746 So. 2d 1159 (Fla. 3d DCA 1999), based on express and direct conflict with the decision in Byrd v. Richardson-Greenshields Securities, Inc., 552 So. 2d 1099 (Fla. 1989). Upon further consideration, we find that review was improvidently granted. Accordingly, this review proceeding is dismissed.

It is so ordered.

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

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

Third District - Case No. 3D99-827

(Dade County)

Donna M. Ballman, Fort Lauderdale, Florida,

for Petitioner

Murray H. Dubbin, City Attorney, and Donald M. Papy, Chief Deputy City
Attorney, Miami Beach, Florida,

for Respondent