

# Third District Court of Appeal

## State of Florida

Opinion filed April 04, 2018.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D17-389  
Lower Tribunal No. 14-21347

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**Stephen Herbits,**  
Appellant,

vs.

**The City of Miami,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Thomas J. Rebull, Judge.

Dubbin & Kravetz, LLP, and Samuel J. Dubbin, for appellant.

Victoria Méndez, City Attorney, and Forrest L. Andrews, Assistant City Attorney, for appellee.

Barbara A. Petersen (Tallahassee); Carlton Fields Jordan Burt, P.A., and Richard J. Ovelmen and Alix I. Cohen, for the First Amendment Foundation, as amicus curiae.

Before ROTHENBERG, C.J., and SALTER and SCALES, JJ.

PER CURIAM.

Affirmed.