NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

THIRD DISTRICT

JULY TERM, A.D. 2002

CLAUDE L. BARNES, JR., d/b/a,** etc.,

* *

Appellants,

* *

vs. CASE NO. 3D01-3040

* *

JAMES T. MAYHEW, et al., LOWER

** TRIBUNAL NO. 96-22913

Appellees.

Opinion filed July 31, 2002.

An Appeal from the Circuit Court for Miami-Dade County, Gerald Hubbart, Judge.

A. Margaret Hesford, for appellants.

Hendricks & Hendricks, for appellees.

Before SCHWARTZ, C.J., and JORGENSON, and RAMIREZ, JJ.

PER CURIAM.

Affirmed. <u>See Sacco v. Slavin</u>, 641 So. 2d 955 (Fla. 3d DCA 1994).