

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., 2004

HERBERT S. ROSE,

Appellant,

vs.

THE VILLAGE OF KINGS CREEK
CONDOMINIUM ASSOCIATION,

Appellee.

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** CASE NO. 3D04-430

** LOWER

TRIBUNAL NO. 02-22505

**

Opinion filed August 11, 2004.

An Appeal from the Circuit Court for Miami-Dade County,
Ellen L. Leesfield, Judge.

Murphy & O'Brien, and William F. Murphy, and Herbert Rose,
for appellant.

Hyman, Kaplan, Ganguzza, Spector & Mars, and Anouk M.
Villegas, and Marc Halpern, for appellee.

Before LEVY, GERSTEN, and GODERICH, JJ.

PER CURIAM.

Affirmed. See Abbey Park Homeowners Assoc. v. Bowen, 508
So. 2d 554 (Fla. 4th DCA 1987).