

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

SANDMARK INVESTMENTS, INC.,

**

**

Appellant,

** CASE NO. 3D04-900

vs.

**

In Re: THE ESTATE OF ROSE
HEIMOWITZ,

** LOWER
TRIBUNAL NO. 03-4244

**

Appellee.

Opinion filed November 10, 2004.

An Appeal from the Circuit Court for Miami-Dade County,
Sidney B. Shapiro, Judge.

Larson and Jones and Steven L. Jones, for appellant.

Ruden, McClosky, Smith, Schuster & Russell, P.A., and John
H. Pelzer and Brigid F. Cech (Ft. Lauderdale), for appellee.

Before COPE AND GODERICH, JJ., and NESBITT, JOSEPH, Senior
Judge.

PER CURIAM.

Affirmed. See Spohr v. Berryman, 589 So.2d 225 (Fla.
1991).