

# Supreme Court of Florida

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No. SC03-165

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**ETHEL THOMPSON SWEITZER,**  
Petitioner,

vs.

**DAWN M. THOMAS,**  
Respondent.

[March 25, 2004]

PER CURIAM.

We initially accepted jurisdiction to review Sweitzer v. Thomas, 834 So. 2d 283 (Fla. 5th DCA 2002), a decision alleged to be in express and direct conflict with Loring v. Winters, 802 So. 2d 335 (Fla. 2d DCA 2001). See art. V, § 3(b)(3), Fla. Const. Upon further consideration, we have now determined that we should exercise our discretion and discharge jurisdiction. Accordingly, this review proceeding is hereby dismissed.

It is so ordered.

ANSTEAD, C.J., and WELLS, PARIENTE, LEWIS, QUINCE, CANTERO, and BELL, JJ., concur

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

Fifth District - Case No. 5D02-34

(Brevard County)

Sharon Lee Stedman, Orlando, Florida; and Scott Turner of Turner & Layman, L.L.C., Melbourne, Florida,

for Petitioner

Julie H. Littky-Rubin of Lytal, Reiter, Clark, Fountain & Williams, LLP, West Palm Beach, Florida; and Karla T. Torpy and Robert M. Moletteire of Graham, Moletteire & Torpy, P.A., Melbourne, Florida,

for Respondent