

Supreme Court of Florida

No. SC04-631

FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES,
Petitioner,

vs.

J. F., the Mother,
Respondent.

[October 14, 2004]

PER CURIAM.

We originally accepted jurisdiction to review J.F. v. Department of Children & Families, 866 So. 2d 81 (Fla. 4th DCA 2004), under article V, § 3(b)(3) of the Florida Constitution. We subsequently issued our decision in Department of Children & Families v. F.L., 29 Fla. L. Weekly S351 (Fla. July 8, 2004). Because the Fourth District did not have the benefit of our opinion in F.L. when it decided J.F., we vacate the decision in J.F. and remand to the Fourth District for reconsideration in light of F.L. In doing so, we express no opinion as to whether the decision in J.F. is or is not consistent with F.L. We also deny respondent's motion to dismiss.

It is so ordered.

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

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

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

Fourth District - Case No. 4D02-4225

(Broward County)

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for Petitioner

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for Respondent