

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

CMI, INC. OF KENTUCKY,)

Petitioner,)

v.)

Case No. 2D08-2134

JOHN C. FABIAN; CATHERINE MARSH;)
MORLEY J. PARENT; SARA PENNEY;)
KENNETH A. BAKER; and STATE OF)
FLORIDA,)

Respondents.)

Opinion filed August 27, 2008.

Petition for Writ of Certiorari to the Circuit
Court for the Twelfth Judicial Circuit for
Sarasota County; sitting in its appellate
capacity.

Michael S. Taaffe and Jarrod Malone of
Abel Band, Chartered, Sarasota, for
Petitioner.

Robert N. Harrison, Venice, for
Respondents John C. Fabian, Catherine
Marsh, Morley J. Parent, Sara Penney, and
Kenneth A. Baker.

No appearance for State of Florida.

PER CURIAM.

Denied.

DAVIS, VILLANTI, and KHOUZAM, JJ., Concur.