

# Supreme Court of Florida

FRIDAY, APRIL 20, 2018

**CASE NO.: SC16-2232**

Lower Tribunal No(s).:

5D16-393; 592010CC0020260000XX; 13-39-AP

MICHAEL ROHRBACHER      vs.      GARRISON PROPERTY AND  
CASUALTY INSURANCE COMPANY

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Petitioner(s)

Respondent(s)

Upon review of the responses to this Court's Order to Show Cause dated November 8, 2017, the Court has determined that it should accept jurisdiction in this case. It is ordered that the Petition for Review is granted, that the Fifth District Court of Appeal's decision in this case is quashed, and this matter is remanded to the district court for instructions not inconsistent with this Court's opinion in *Joyce v. Federated Nat'l Ins. Co.*, 228 So. 3d 1122 (Fla. 2017). Petitioner's motion for attorney's fees is hereby denied.

No Motion for Rehearing will be entertained by the Court.

LABARGA, C.J., and PARIENTE, QUINCE, and POLSTON, JJ., concur.  
LEWIS, J., concurs as to the disposition and dissents as to the motion for attorney's fees.

CANADY and LAWSON, JJ., dissent as to the disposition and concur as to the motion for attorney's fees.

A True Copy

Test:



John A. Tomasino

Clerk, Supreme Court



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Served:

DOUGLAS H. STEIN

CHAD ANDREW BARR

DEAN ANTHONY MITCHELL

HON. GRANT MALOY, CLERK

HON. JERRI LYNN COLLINS, JUDGE

HON. JOANNE P. SIMMONS, CLERK