

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D18-2284

NEUROLOGY PARTNERS, P.A.
d/b/a EMAS Spine & Brain
Specialists a/a/o Almer L. Vos,

Petitioner,

v.

PROGRESSIVE AMERICAN
INSURANCE COMPANY,

Respondent.

Petition for Writ of Certiorari.

August 21, 2019

PER CURIAM.

DISMISSED. *See Progressive Express Ins. Co. v. Neurology Partners, P.A.*, 43 Fla. L. Weekly D1985, 2018 WL 4042461 (Fla. 1st DCA Aug. 24, 2018) (dismissing petition and citing cases stating that (1) even if circuit court appellate decision is erroneous in its conclusion, if it is made “according to the forms of law and the rules prescribed for rendering it,” certiorari is inapplicable; and (2) a second-tier certiorari denial does not mean this Court approves of the underlying decision); *see also State Farm Mut. Auto. Ins. Co. v. CC Chiropractic, LLC*, 245 So. 3d 755, 760 (Fla. 4th DCA 2018) (explaining it is the county court’s prerogative to certify questions to the district court, and second-

tier certiorari is not appropriate “simply to provide precedent where precedent is needed”; such need is not a miscarriage of justice) (quoting *Stilson v. Allstate Ins. Co.*, 692 So. 2d 979, 983 (Fla. 2d DCA 1997)).

ROBERTS, KELSEY, and M.K. THOMAS, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Adam B. Saben and Melissa R. Winer of Shuster & Saben, LLC, Jacksonville, for Petitioner.

Betsy Ellwanger Gallagher and Michael C. Clarke of Kubicki Draper, P.A., Tampa, for Respondent.