MANDATE

from

2004 DEC 13 P 1:42

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA.

SECOND DISTRICT

DSM-Clas

THIS CAUSE HAVING BEEN BROUGHT TO THIS COURT BY APPEAL, AND AFTER DUE CONSIDERATION THE COURT HAVING ISSUED ITS OPINION;

YOU ARE HEREBY COMMANDED THAT SUCH FURTHER PROCEEDINGS
BE HAD IN SAID CAUSE, IF REQUIRED, IN ACCORDANCE WITH THE OPINION OF
THIS COURT ATTACHED HERETO AND INCORPORATED AS PART OF THIS
ORDER, AND WITH THE RULES OF PROCEDURE AND LAWS OF THE STATE OF
FLORIDA.

WITNESS THE HONORABLE CHRIS W. ALTENBERND CHIEF JUDGE OF THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA, SECOND DISTRICT, AND THE SEAL OF THE SAID COURT AT LAKELAND, FLORIDA ON THIS DAY.

DATE: December 9, 2004

SECOND DCA CASE NO. 2D04-156

COUNTY OF ORIGIN: Pinellas

LOWER TRIBUNAL CASE NO. 03-1955 F

CASE STYLE: CASA FEBE

RETIREMENT HOME, INC.,

v. STATE, AGENCY FOR HEALTH CARE ADMINISTRATION,

COURT OF STATE OF STA

James Birkhold

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cc: (Without Attached Opinion)

Garnett W. Chisenhall, Esq.

Colleen O' Rourke, Esq.