

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2011

CHERYL BENNETT,

Petitioner,

v.

Case No. 5D10-3266

JOANNE MARINE, INC.,

Respondent.

Opinion filed March 25, 2011

Petition for Certiorari Review of Order
from the Circuit Court for Volusia County,
William A. Parsons, Judge.

John M. Schwartz, Blumenthal, Schwartz
& Saxe, P.A., Titusville, for Petitioner.

Patricia Leigh McMillan Minoux, of Hayden
Milliken & Boeringer, P. A., Miami, for
Respondent.

PER CURIAM.

Cheryl Bennett seeks certiorari review of an order granting Joanne Marine, Inc.'s ("JMI") motion to compel the release of certain medical records protected by section 397.501(7)(a)5., Florida Statutes (2010). JMI concedes that the order must be quashed and the matter remanded for a hearing.¹

¹ The Court appreciates the candor of JMI's counsel.

Accordingly, we quash the order under review and remand the matter to the trial court for further proceedings consistent with the relevant statutes.

CERTIORARI GRANTED; ORDER QUASHED.

MONACO, C.J., ORFINGER and LAWSON, JJ., concur.