

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JOHN P. McCARTHY, KATHERINE A.)
McCARTHY, RODNEY C. WADE,)
SALLY M. WADE, JAMES SWETLAND,)
ELIZABETH SWETLAND, and BRUCE)
WILKINSON,)

Petitioners,)

v.)

Case No. 2D06-724

HILLSBOROUGH COUNTY, a political)
subdivision of the State of Florida, by)
and through its BOARD OF COUNTY)
COMMISSIONERS, and HIGHLANDER)
DEVELOPMENT, INC.,)

Respondents.)

Opinion filed September 29, 2006.

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

Ralf G. Brookes, Cape Coral,
for Petitioners.

Deborah C. Blews, Assistant County
Attorney, for Respondent Hillsborough
County.

Scott I Steady and R. Marshall Rainey
of Williams Schifino Mangione &
Steady, P.A., Tampa, for Respondent
Highlander Development, Inc.

PER CURIAM.

We deny the petition for writ of certiorari without prejudice to the
petitioners seeking declaratory relief in the circuit court.

ALTENBERND, SALCINES, and KELLY, JJ., Concur.