

Supreme Court of Florida

FRIDAY, FEBRUARY 22, 2002

CASE NO.: SC01-2678

Lower Tribunal No.: 2D01-3626

MICHAEL SCHIAVO,
RE: THERESA MARIE SCHIAVO

vs. ROBERT SCHINDLER,
ET AL.

Petitioner(s)

Respondent(s)

Petitioner's Motion to Stay filed in the above cause is granted and proceedings in the District Court of Appeal, Second District, and in the Circuit Court of the Sixth Judicial Circuit in and for Pinellas County, Florida are hereby stayed pending disposition of the petition for review filed herein.

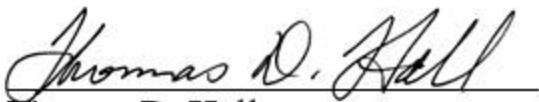
WELLS, C. J., and HARDING, PARIENTE and QUINCE, JJ., concur.
SHAW and ANSTEAD JJ., dissent.
LEWIS, J., dissents with a comment.

LEWIS, J., dissenting.

The forty-two page brief on the merits disguised as a motion to stay should be stricken sua sponte. The District Court of Appeal record filed as an appendices is in violation of the Rules of Appellate Procedure which permit only the filing of the decision to be reviewed as an appendix here should be stricken sua sponte.

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



bm

Served:

GEORGE J. FELOS
PATRICIA FIELDS ANDERSON
LAWRENCE D. CROW

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DEBORAH BUSHNELL

HON. JAMES BIRK HOLD, CLERK

HON. KARLEEN F. DEBLAKER, CLERK