

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

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

DERRICK WEBSTER, AS PERSONAL  
REPRESENTATIVE OF THE ESTATE  
OF MERRITA WEBSTER,

Appellant,

v.

Case No. 5D19-730

SHELLEY C. GLOVER, M.D., SOUTH LAKE  
HOSPITAL, INC., INTUITIVE SURGICAL, INC.,  
INDEPENDENT CLINICAL LABORATORIES, INC.  
D/B/A TAMPA PATHOLOGY LABORATORY AND  
JOSE V. SUAREZ-HOYOS, M.D.,

Appellees.

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Opinion filed May 15, 2020

Appeal from the Circuit Court  
for Lake County,  
G. Richard Singeltary, Judge.

Christopher V. Carlyle, of The Carlyle  
Appellate Law Firm, Orlando, for  
Appellant.

Jason M. Azzarone, Louis J. La Cava, and  
James D. Wetzel, of La Cava & Jacobson,  
P.A., Tampa, for Appellee Shelley C.  
Glover, M.D.

No Appearance for other Appellees.

PER CURIAM.

AFFIRMED. See *Health First, Inc. v. Cataldo*, 92 So. 3d 859, 869 (Fla. 5th DCA 2012) (“We strongly disapprove of the tactics used during [Appellee’s] closing argument. We find, however, that the trial court did not abuse its discretion by refusing to order a new trial. We cannot say under *Murphy*’s fourth prong that the arguments ‘so damaged the fairness’ of the trial as to require a new trial.” (quoting *Murphy v. Int’l Robotic Sys., Inc.*, 766 So. 2d 1010, 1030 (Fla. 2000))).

HARRIS, GROSSHANS and TRAVER, JJ., concur.