

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

JULY TERM 2013

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

CONSOLIDATED CONTAINER COMPANY, LP, etc.,

Appellant,

v.

Case No. 5D12-772

NATIONAL FREIGHT, INC., etc., et al.,

Appellees.

_____ /

Opinion filed October 11, 2013

Appeal from the Circuit Court
for Orange County,
John M. Kest, Judge.

Irene Porter and Jedidiah Vander
Klok of Hicks, Porter, Ebenfeld &
Stein, P.A., Miami, for Appellant.

Wm. Jere Tolton, III, of Ogden &
Sullivan, P.A., Tampa, for
Appellees.

PER CURIAM.

Consolidated Container Company, LP, appeals from the final judgment entered in favor of its co-defendant in a personal injury action, National Freight, Inc., following the trial court's entry of a directed verdict in favor of National Freight. We conclude that the evidence presented during the plaintiff's case-in-chief was sufficient to present a jury question regarding National Freight's negligence. Accordingly, we reverse the final judgment entered in favor of National Freight.

REVERSED and REMANDED.

TORPY, C.J., ORFINGER and COHEN, JJ., concur.