

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2005*

**ROBIN WARNER**, as Personal Representative of the Estate of Adele  
Warner, Deceased,  
Appellant,

v.

**HOLY CROSS HOSPITAL, INC.**,  
Appellee.

No. 4D04-2764

[November 2, 2005]

PER CURIAM.

We affirm the final summary judgment below. Upon review of the record, we conclude that it does not support the claim for intentional infliction of emotional distress. It is undisputed that summary judgment was also properly entered on the negligence count.

STONE, GROSS and HAZOURI, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Ilona M. Holmes, Judge; L.T. Case No. CACE 01-17791 (18).

Steven M. Goldsmith of Steven M. Goldsmith, P.A., Boca Raton, for appellant.

Louise H. McMurray of McIntosh, Sawran, Peltz & Cartaya, P.A., Fort Lauderdale, and Michael A. Petruccelli of McIntosh, Sawran, Peltz, Cartaya & Petruccelli, P.A., Miami, for appellee.

***Not final until disposition of timely filed motion for rehearing.***