

# Third District Court of Appeal

State of Florida, July Term, A.D. 2011

Opinion filed September 28, 2011.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D10-3024  
Lower Tribunal No. 09-84349

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**Efrain Arroyave, MD, et al.,**  
Appellants,

vs.

**Gilberto Vivas, et al.,**  
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Peter Adrien,  
Judge.

Efrain Arroyave, MD, and Cali Arroyave, in proper persons.

Ferro, Gonzalez & Associates, P.A., and Pablo Gonzalez Zepeda; Cole Scott  
& Kissane, P.A., and Scott A. Cole, Evan B. Berger, and Jonathan M. Midwall;  
Stewart W. Logan, for appellees.

Before RAMIREZ, LAGOA, and SALTER, JJ.

PER CURIAM.

Affirmed. See Lay v. Kremer, 411 So. 2d 1347, 1349 (Fla. 1st DCA 1982)  
("While mere words do not constitute an assault, the words coupled with an  
appearance of rage and with a just completed shove could constitute an assault.").