

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

LARRY COLLINS,

Appellant,

v.

JAMES SIMMONS,

Appellee.

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

CASE NO. 1D15-2907

Opinion filed June 9, 2016.

An appeal from the Circuit Court for Gadsden County.

Martin A. Fitzpatrick, Judge.

Elizabeth K. Russo, Miami; Banker Lopez Gassler, P.A., Tallahassee; Reynolds Parrino Spano & Shadwick, P.A., St. Petersburg, for Appellant.

James E. Fasig and Mark W. Nonni of Barrett, Fasig & Brooks, and Fred E. Pearson, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

ROWE and BILBREY, JJ., CONCUR, and MAKAR, J., SPECIALLY CONCURS
WITH OPINION.

MAKAR, J., specially concurring.

I concur in result based on the two-issue rule. See Whitman v. Castlewood Int'l. Corp., 383 So. 2d 618, 619 (Fla. 1980) (“[W]here there is no proper objection to the use of a general verdict, reversal is improper where no error is found as to one of two issues submitted to the jury on the basis that the appellant is unable to establish that he has been prejudiced.”).