

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D19-2893

CYNTHIA ROBINSON, as Personal
Representative of the Estate of
Michael Johnson, Sr.,

Appellant/Cross-Appellee,

v.

R. J. REYNOLDS TOBACCO CO., et
al.,

Appellees/Cross-Appellants.

On appeal from the Circuit Court for Escambia County.
W. Joel Boles, Judge.

September 29, 2021

PER CURIAM.

AFFIRMED. *See R.J. Reynolds Tobacco Co. v. Prentice*, 290 So. 3d 963, 966 (Fla. 1st DCA 2019), *review granted*, No. SC20-291, 2020 WL 4590156 (Fla. Aug. 11, 2020). Because the direct appeal is affirmed, the cross-appeal is dismissed. *See R.J. Reynolds Tobacco Co. v. Brown*, 286 So. 3d 877 (Fla. 5th DCA 2019) (dismissing conditional cross-appeal as moot when affirming issues raised on appeal).

ROWE, C.J., and M.K. THOMAS and NORDBY, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Douglas F. Eaton of Eaton & Wolk, P.L., Miami; Willie E. Gary, Charles L. Scott, Larry A. Strauss, and Diana Correa of Gary, Williams, Parenti, Watson & Gary, P.L.L.C., Stuart; and Howard M. Acosta of the Law Offices of Howard M. Acosta, St. Petersburg, for Appellant/Cross-Appellee.

Charles F. Beall and Larry Hill of Moore, Hill & Westmoreland, P.A., Pensacola; Stephanie E. Parker, John M. Walker, Emily C. Baker, and Brian C. Lea of Jones Day, Atlanta, Georgia; and Charles R.A. Morse of Jones Day, New York, New York, for Appellees/Cross-Appellants.