

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2012*

**JOSHUA P. KINCAID,**  
a minor, by and through his parent and  
natural guardian, Christine C. Fain,  
Appellant,

v.

**DEON S. VANZYL,**  
Appellee.

No. 4D11-1788

[August 1, 2012]

PER CURIAM.

*Affirmed. See Trout v. Apicella*, 78 So. 3d 681 (Fla. 5th DCA 2012).

GROSS, LEVINE, JJ., and ROSENBERG, ROBIN L., Associate Judge, concur.

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Appeal from the Circuit Court for the Nineteenth Judicial Circuit,  
Martin County; Elizabeth A. Metzger, Judge; L.T. Case No. 06-947 CA.

Mark D. Tinker and Charles W. Hall of Banker Lopez Gassler, P.A., St.  
Petersburg, for appellant.

Shea Moxon of Swope, Rodante, P.A., Tampa, for appellee.

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