## Third District Court of Appeal

## **State of Florida**

Opinion filed January 25, 2017. Not final until disposition of timely filed motion for rehearing.

> No. 3D15-1325 Lower Tribunal No. 07-1677K

> > Tom Neary, Appellant,

VS.

The City of Key West, etc., et al., Appellees.

An appeal from the Circuit Court for Monroe County, Timothy J. Koenig, Judge.

The Powell Law Firm, P.A. and Brett C. Powell; Michael R. Barnes (St. Augustine), for appellant.

Johnson, Anselmo, Murdoch, Burke, Piper & Hochman, P.A. and Michael T. Burke and Hudson C. Gill (Ft. Lauderdale), for appellees.

Before SUAREZ, C.J., and ROTHENBERG and FERNANDEZ, JJ.

PER CURIAM.

Affirmed.