

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, A.D., 2001

ALEX DEMBOVICH and PETER **
DEMBOVICH, **

 Appellants, **

vs.

CASE NO. 3D00-2867

DONALD B. RICE TIRE CO., INC., **

LOWER
TRIBUNAL 99-21115

 Appellee. **

Opinion filed October 10, 2001.

An Appeal from the Circuit Court for Miami-Dade County, Jon I. Gordon, Judge.

Michael R. Seward, for appellants.

Sandler, Travis & Rosenberg, and Edward M. Joffee, for appellee.

Before GERSTEN, and RAMIREZ, JJ., and NESBITT, Senior Judge.

PER CURIAM.

We reverse the entry of summary judgment below finding general issues of material fact exist with regard to the plaintiff's fraud claims. See Burton v. Linotype Co., 556 So. 2d 1126 (Fla. 3d DCA 1989), review denied, 564 So. 2d 1086 (Fla. 1990); Nessim v. DeLoache, 384 So. 2d 1341 (Fla. 3d DCA 1980); Hermes v. Anton, 300 So. 2d 46 (Fla. 3d DCA 1974).