

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

FULGENCIO PADILLA, SR.,	**	
Appellant,	**	
vs.	**	CASE NO. 3D00-3226
DONALD BUELL,	**	LOWER
Appellee.	**	TRIBUNAL NO. 98-06890

Opinion filed September 26, 2001.

An appeal from the Circuit Court for Miami-Dade County,
Bernard S. Shapiro, Judge.

Paul J. Kneski, for appellant.

Burd, Lozano & Zacherl, LLP, and William G. Burd, and John S.
McPhee, for appellee.

Before LEVY, GREEN, and FLETCHER, JJ.

PER CURIAM.

This is an appeal from a final judgment following a defense
verdict in a property negligence action. The plaintiff abandoned

his motion for new trial without having it heard, and thus seeks to overturn the jury's verdict.

We find that the failure of plaintiff's counsel to object with specificity to defense counsel's remarks during closing argument waived any error that might have occurred. See Sawczak v. Goldenberg, 710 So. 2d 996, 997 (Fla. 4th DCA 1998). Moreover, the implied reference to insurance matters in this case was not fundamental error requiring reversal. See Melara v. Cicione, 712 So. 2d 429, 431 (Fla. 3d DCA 1998).

We also find no abuse of discretion in the trial court's evidentiary rulings. Therefore, we affirm.