

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., 2004

HUGO CASTILLO and BERTA
CASTILLO,

**

Appellants,

**

vs.

** CASE NO. 3D03-1809

**

FLORIDA POWER & LIGHT COMPANY
and JENNY'S FLOWERS,

**

LOWER
TRIBUNAL NO. 02-25343

Appellees.

**

Opinion filed October 6, 2004.

An Appeal from the Circuit Court for Miami-Dade County,
Marc Schumacher, Judge.

David H. Pollack, for appellant.

Josephs, Jack & Miranda, P.A. and Susan S. Lerner, for
appellee.

Before GERSTEN, GODERICH, and GREEN, JJ.

PER CURIAM.

Affirmed. See Mozee v. Champion Int'l Corp., 554 So. 2d
596, 598 (Fla. 1st DCA 1989) (property owner not liable for the

electrocution of subcontractor of independent contractor's employee where property owner informed subcontractor electrical wiring was still hot); Lemen v. Fla. Power & Light Co., 452 So. 2d 1107, 1108 (Fla. 5th DCA 1985) (property owner not liable for injuries to employee of independent contractor in absence of a showing of a positive act of negligence which proximately causes such injury).