

Opinion filed June 26, 2014



In The  
**Eleventh Court of Appeals**

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No. 11-12-00129-CV

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**MICHELLE DIMMITT, Appellant**  
**V.**  
**BROOKSHIRE GROCERY COMPANY D/B/A BROOKSHIRE'S**  
**AND SUPERIOR SANITATION, INC., Appellees**

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**On Appeal from the 220th District Court**  
**Comanche County, Texas**  
**Trial Court Cause No. CCCV-10-14910**

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**CONCURRING MEMORANDUM OPINION**

A wet floor is a wet floor. Insofar as the majority holds that the “wet floor” cone did not adequately warn of a different kind of wet floor, I disagree. However, because I believe that the summary judgment evidence raises an issue of material fact as to whether the cone was in sufficient proximity to the place where Dimmitt fell so as to constitute an adequate warning, I concur in the result.

June 26, 2014

Panel consists of: Wright, C.J.,  
Willson, J., and Bailey, J.

MIKE WILLSON

JUSTICE