

294 So.3d 1018 (Mem)  
District Court of Appeal of Florida, Fifth  
District.

**Derrick WEBSTER**, as Personal  
Representative of the Estate of  
Merrita Webster, Appellant,

v.

Shelley C. GLOVER, M.D., South Lake  
Hospital, Inc., Intuitive Surgical, Inc.,  
**Independent Clinical Laboratories,  
Inc.** d/b/a Tampa Pathology  
Laboratory and Jose V. Suarez-Hoyos,  
M.D., Appellees.

Case No. 5D19-730

Opinion filed May 15, 2020

Appeal from the Circuit Court for Lake  
County, **G. Richard Singeltary**, Judge.

#### Attorneys and Law Firms

**Christopher V. Carlyle**, of The Carlyle  
Appellate Law Firm, Orlando, for Appellant.

**Jason M. Azzarone**, **Louis J. La Cava**, and  
**James D. Wetzell**, of La Cava & Jacobson,  
P.A., Tampa, for Appellee Shelley C.  
Glover, M.D.

No Appearance for other Appellees.

#### Opinion

PER CURIAM.

**\*1019** AFFIRMED. See *Health First, Inc. v. Cataldo*, 92 So. 3d 859, 869 (Fla. 5th DCA 2012) (“We strongly disapprove of the tactics used during [Appellee’s] closing argument. We find, however, that the trial court did not abuse its discretion by refusing to order a new trial. We cannot say under *Murphy’s* fourth prong that the arguments ‘so damaged the fairness’ of the trial as to require a new trial.” (quoting *Murphy v. Int’l Robotic Sys., Inc.*, 766 So. 2d 1010, 1030 (Fla. 2000))).

HARRIS, **GROSSHANS** and **TRAVER, JJ.**,  
concur.

#### All Citations

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