

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 09-10007

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| FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT Sept. 22, 2009 THOMAS K. KAHN CLERK |
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D. C. Docket No. 07-01083-CV-J-32JRK

COLIN BRULEY,

Plaintiff-Appellant,

versus

LBK, LP,
a foreign limited partnership,
d.b.a. The Oaks at Mill Creek Apartments,
VILLAGE GREEN MANAGEMENT COMPANY,
a foreign corporation,
TR MILL CREEK CORP,
a foreign corporation
d.b.a. The Oaks at Mill Creek Apartments,

Defendants-Appellees.

Appeal from the United States District Court
for the Middle District of Florida

(September 22, 2009)

Before MARCUS and HILL, Circuit Judges, and VOORHEES,* District Judge.

PER CURIAM:

Appellant Colin Bruley appeals from the district court's December 8, 2009 order granting final summary judgment to the defendant in this wrongful termination lawsuit. At issue in this case is whether Florida law permits a public policy exception to at-will employment to protect the right of employees to carry weapons for rescue or self-defense. The district court held that Florida does not recognize a common law cause of action for wrongful discharge. DeMarco v. Publix Super Markets, Inc., 360 So. 2d 134, 136 (Fla. Ct. App. 1978), aff'd mem. DeMarco v. Publix Super Markets, Inc., 384 So. 2d 1253, 1254 (Fla. 1980); Hartley v. Ocean Reef Club, Inc., 476 So. 2d 1327, 1330 (Fla. Dist. Ct. App. 1985).

After thorough review, we affirm on the basis of the district court's well-reasoned order granting summary judgment to the defendants.

AFFIRMED.

*Honorable Richard L. Voorhees, United States District Judge for the Western District of North Carolina, sitting by designation.