

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 09-10315  
Non-Argument Calendar  
\_\_\_\_\_

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT SEPTEMBER 9, 2009 THOMAS K. KAHN CLERK
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D. C. Docket No. 06-01350-CV-T-27-MAP

LORENE YOUNG,

Plaintiff-Appellant,

versus

CARGILL JUICE NORTH AMERICA, INC.,  
f.n.a. Cargill Citro-America, Inc.,

Defendant-Appellee  
Cross Claimant,

KC CROMWELL, INC.,  
f.n.a. Spartan Premier, Inc.,  
d.b.a. Citrus Force Staffing,

Defendant  
Cross Defendant.

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

\_\_\_\_\_  
(September 9, 2009)

Before TJOFLAT, BIRCH and HULL, Circuit Judges.

PER CURIAM:

This is a personal injury case. The district court granted defendant summary judgment on the ground that defendant was plaintiff's statutory employer and entitled to immunity from suit pursuant to Florida's Workers' Compensation Act. Plaintiff appeals, contending that the "intentional tort" exception to such immunity applies and that material issues of fact remain to be litigated regarding that exception. We disagree, and therefore affirm. The intentional tort exception does not apply for the reasons stated in the district court's December 15, 2008 order granting appellee summary judgment.

AFFIRMED.