

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 13-12937
Non-Argument Calendar

D.C. Docket No. 3:11-cv-00243-HLA-JBT

MARVIN A. COLBERT, JR.,
TAMMY COLBERT, his wife,

Plaintiffs-Appellants,

versus

ANHEUSER-BUSCH, INC.,
a foreign corporation-for-profit,

Defendant-Appellee,

LESLIE ARMOOGAM,

Defendant.

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

(December 9, 2013)

Before HULL, HILL, and FAY, Circuit Judges.

PER CURIAM:

Plaintiff, Marvin Colbert, Jr. brought this defamation action against his former employer, Anheuser-Busch, Inc., alleging that defendant's employee made a call to the police regarding an incident between plaintiff and his supervisor, and that this call was defamatory and resulted in his termination. After a jury trial, the defendant moved for judgment as a matter of law, which the district court granted. In granting the motion, the district court recited that there was no evidence before the jury from which it could infer the content of the call to police, much less whether that content was untrue or defamatory. Furthermore, the court held that the evidence was overwhelming that plaintiff's termination had "absolutely nothing to do with this call," but rather was the result of the incident between plaintiff and his supervisor. Finally, the court observed that there was "no evidence of malice in this case." As a result of these conclusions, the district court granted defendant's motion for a judgment as a matter of law.

We have reviewed the record, the trial transcripts provided, and have read and considered the parties' arguments in their briefs. Finding no clear error in the district court's view of the evidence, we conclude that its decision to grant judgment as a matter of law to defendant is due to be

AFFIRMED.