owned the house in which the two men lived; (2) the two men were unrelated; (3) Reyher had full use of the house with the same privileges as Evans, but each man had a separate bedroom; and (4) each treated the house as his principal place of residence and neither man had another residence or even temporarily resided elsewhere. Simply put, Evans shared his house with Reyher and Reyher paid Evans rent. Evans testified by deposition:

> Q What was the living arrangements you had with Mr. Reyher?
>
> A Mr. Reyher was a roommate. He rented from me. I guess you would call it subletting or leasing a room. We were roommates.

There is no evidence of any other relationship between the two men. Although they physically occupied the same house, there is no evidence indicating Reyher and Evans had any intention to form a social unit. Whatever else the word "household" may suggest, we have no difficulty holding that it does not encompass landlord-tenant or simple roommate arrangements.

Accordingly, the judgment finding Evans was an insured and thus covered by Universal's policy of insurance and awarding attorney's fees and costs is reversed.

REVERSED and REMANDED.

W. SHARP and COWART, JJ., concur.

LYN-RAND METAL FABRICATIONS CO., INC., Appellant/Cross-Appellee,

v.

AMERICAN ACCESSORIES CORPORATION, Appellee/Cross-Appellant.

No. 89-1275.

District Court of Appeal of Florida, Third District.

July 3, 1990.

Rehearing Denied Sept. 12, 1990.

An Appeal from the Circuit Court for Dade County; Jack Turner, Judge.

Robert A. Rosenblatt and Cynthia A. Greenfield, Miami, for appellee/cross-appellant.

Lapidus & Frankel and Caroline M. Nitsche and Richard L. Lapidus, Miami, for appellant/cross-appellee.

Before HUBBART, NESBITT and BASKIN, JJ.

PER CURIAM.

Upon consideration of the appeal and cross-appeal, we affirm the final judgment.

Affirmed.

Julio E. PEREZ, Appellant,

v.

The STATE of Florida, Appellee.

No. 89-2370.

District Court of Appeal of Florida, Third District.

July 3, 1990.

Rehearing Denied Sept. 18, 1990.

Defendant was convicted of trafficking in cocaine. Judgment was entered in the Circuit Court, Dade County, Ursula Ungaro, J. Defendant appealed. The District Court of Appeal held that evidence on record contradicted defendant's theory of innocence and supported denial of his motion for judgment of acquittal.

Affirmed.

1. Criminal Law ⇐741(6)

Question of whether evidence fails to exclude all reasonable hypothesis of innocence is for jury to determine.

2. Criminal Law ⇐741(6)

Where circumstantial evidence contradicts defendant's theory of innocence, and inferences pointing to guilt are sufficiently strong, case should go to jury.

3. Criminal Law ⇐753.2(3)

Standard for review of denial of motion for judgment of acquittal is not whether in opinion of trial judge or appellate court evidence fails to exclude every reasonable hypothesis other than guilt, but rather whether jury must reasonably so conclude.

Zukerman, Spaeder, Taylor & Evans, Michael S. Pasano, Humberto J. Pena, and Guy A. Rasco, Miami, for appellant.

Robert A. Butterworth, Atty. Gen., and Angelica D. Zayas, Asst. Atty. Gen., for appellee.

Before NESBITT, LEVY and GERSTEN, JJ.

PER CURIAM.

Appellant, Julio Perez, appeals his conviction for trafficking in cocaine. We affirm.

Appellant contends that the trial court erred in denying his motion of acquittal, because there was insufficient circumstantial evidence presented at trial necessary to exclude all reasonable hypotheses of innocence. Appellee, State, asserts that the circumstantial evidence presented at trial excluded any reasonable hypothesis of innocence.

[1-3] The question of whether the evidence fails to exclude all reasonable hypothesis of innocence is for the jury to determine. *Heiney v. State*, 447 So.2d 210 (Fla.), *cert. denied*, 469 U.S. 920, 105 S.Ct. 303, 83 L.Ed.2d 237 (1984); *Rose v. State*, 425 So.2d 521 (Fla.1982), *cert. denied*, 461 U.S. 909, 103 S.Ct. 1883, 76 L.Ed.2d 812 (1983). Where the circumstantial evidence contradicts the defendant's theory of innocence, and the inferences pointing to guilt are sufficiently strong, the case should go to the jury. *Thomas v. State*, 512 So.2d 1099 (Fla. 5th DCA 1987), *review denied*, 520 So.2d 586 (Fla.1988). The standard for review of a denial of a motion for judgment of acquittal is not whether in the opinion of the trial judge or of the appellate court the evidence fails to exclude every reasonable hypothesis other than guilt, but rather whether the jury must reasonably so conclude. *Pressley v. State*, 395 So.2d 1175 (Fla. 3d DCA), *review denied*, 407 So.2d 1105 (Fla.1981); *Hernandez v. State*, 305 So.2d 211 (Fla. 3d DCA 1974), *cert. denied*, 315 So.2d 192 (Fla.1975).

We find sufficient evidence on the record to contradict the appellant's theory of innocence and support the denial of his motion for judgment of acquittal. Accordingly, we affirm appellant's conviction.

Affirmed.

C.A. LEASING SERVICE CORPORATION, etc., Appellant,

v.

ZORN'S (HOWARD) EQUIPMENT SERVICE, INC., etc., et al., Appellees.

No. 89-1028.

District Court of Appeal of Florida, Fifth District.

July 5, 1990.

Rehearing Denied Aug. 21, 1990.

Lessor filed suit against original lessee after accounts on heavy equipment went into default, and after filing complaint, lessor merged into successor corporation. The Circuit Court, Orange County, Cecil H. Brown, J., excluded lessor's documentary evidence, exonerated original lessees from liability under continuing personal guaranties, and denied lessor any deficiency judgment. Lessor appealed. The District