FILED
JUN 15 1989
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

36

BRIAN BULLERMAN, A Minor by **DUANE BULLERMAN**, His Father and Next Friend,

Plaintiff-Appellee,

vs.

DEAN PLATTE and **ROBERT PLATTE**,

Defendants-Appellants.

9-218
88-1026

Appeal from the Iowa District Court for Bremer County (23287), Gilbert K. Bovard, Judge.

Defendant appeals from a verdict for plaintiff in an action for emotional distress. **AFFIRMED.**

William D. Werger, of Morain, Burlingame, Pugh, Juhl & Peyton, West Des Moines, for the defendants-appellants.

Gary J. Boveia, Waverly, for the plaintiff-appellee.

Heard by Oxberger, C.J., and Hayden and Sackett, JJ.

PER CURIAM 37

We address claims by defendants-appellants Dean Platte and Robert Platte a verdict to compensate plaintiff-appellee Brian Bullerman for emotional distress should be reversed. Brian allegedly suffered emotional distress when he witnessed the serious injury of his mother when a car driven by Dean and owned by Robert collided with her car.

A jury awarded plaintiff $5,000 for past emotional distress and $5,000 for future emotional distress. Defendants contend there was not substantial evidence to support the award and there were errors in the instructions given the jury. We affirm.

We have considered the elements required to allow a bystander to recover for emotional distress. See Barnhill v. Davis, 300 N.W.2d 104, 108 (Iowa 1981). We find substantial evidence in the record of all elements.

We consider the jury instructions as a whole. We find no error. See Knauss v. City of Des Moines, 357 N.W.2d 573, 577 (Iowa 1984).

AFFIRMED.