FILED
FEB 22 1979
CLERK SUPREME COURT



IN THE COURT OF APPEALS OF IOWA

JEANELL C. WINKLEBLACK and RUSSELL WINKLEBLACK,

Appellees,

v.

BERNARD RAYMOND WIENHOLD,

Appellant.

Filed February 22, 1979

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2-61314

Appeal from Pocahontas District Court - R. K. Richardson, Judge.

Defendant appeals grant of new trial to plaintiffs alleging trial court abused its discretion and failed to comply with rule 118, Rules of Civil Procedure. - Affirmed.

R. Thomas Price, Fort Dodge, for Appellant.

J. Desmond Crotty, Pocahontas, for Appellees.

Submitted to Oxberger, C. J., and Donielson, Snell, Carter and Johnson, JJ.

PER CURIAM

Defendant appeals trial court ruling which granted a new trial to plaintiffs after jury returned verdicts in defendant's favor. He contends trial court erred in sustaining plaintiffs' motion for new trial and in failing to comply with rule 118, Rules of Civil Procedure. We affirm.

In their new trial motion, plaintiffs alleged that the jury's verdict was not sustained by sufficient evidence, was contrary to law and failed to do substantial justice. Trial court ruled that the verdict for defendant was unsupported by sufficient evidence. In response to defendant's motion for enlargement of findings, trial court adhered to its ruling. The court noted that under the evidence presented, plaintiffs were at least entitled to recover medical expenses, and since the jury awarded them nothing, the evidence did not support the verdict. Rather than generally sustaining plaintiffs' motion for new trial, the court granted the motion on the separate ground of sufficiency of evidence. We find trial court did comply with rule 118.

In ruling on motions for new trial, trial courts are vested with considerable discretion, and we are more reluctant to interfere with the grant of a new trial than with its denial. Coleman v. Brower Construction Co., 254 Iowa 724, 731, 119 N.W.2d 256, 260 (1963). Trial court may properly grant a new trial even though no reversible error was committed and plaintiffs were not entitled to a directed verdict. Id. at 730, 119 N.W.2d at 259-60. The evidence presented in the instant case pointed strongly to defendant's negligence as the proximate cause of plaintiff's injuries. Finding no abuse of discretion we affirm the order of the trial court.

AFFIRMED.