

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

LIFE CARE CENTER OF
WINTER HAVEN and
GALLAGHER BASSET
SERVICES, INC.,

CASE NO. 1D09-0858

Appellants,

v.

VALERIE A. BENJAMIN,

Appellee.

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Opinion filed November 30, 2009.

An appeal from an order of the Judge of Compensation Claims.
Mark H. Hofstad, Judge.

Date of Accident: October 14, 2004.

Jeffrey E. Appel and Mark N. O'Grady of Appel Law Group, Lakeland, for
Appellants.

Susan W. Fox of Fox & Loquasto, P.A., Tampa, and Joshua C. Nelson of Smith,
Feddeler, Smith & Miles, P.A., Lakeland, for Appellee.

PER CURIAM

The employer/carrier (E/C) challenge an order of the Judge of Compensation
Claims (JCC) that generally sets forth the manner in which permanent impairment
benefits are to be calculated and paid. Nevertheless, the order on appeal does not

calculate the dollar amount of permanent impairment benefits to which Claimant is entitled, the essential issue tried below. Instead, the JCC directed the parties to administratively determine additional facts and calculate the benefits thereon. Additionally, the JCC reserved jurisdiction to determine the exact amounts due and owing should the parties be unable to reach an agreement. Because the order does not finally resolve the central issue brought to trial, the order is nonfinal and nonappealable, and the E/C's appeal is DISMISSED. See Fla. R. App. P. 9.180(1); see also Martin County Bd. of County Commr's v. Jones, 595 So. 2d 125, 128 (Fla. 1st DCA 1992) (holding where JCC reserved on precise amount of medical bills appellate court did not have jurisdiction over issue of whether JCC erred awarding such payment); Betancourt v. Sears Roebuck & Co., 693 So. 2d 680 (Fla. 1st DCA 1997) (stating where JCC reserves ruling on a claim that is ripe for adjudication, order is not yet final or appealable).

DISMISSED.

VAN NORTWICK, and PADOVANO, JJ., and BROWNING, JR., EDWIN B.,
SENIOR JUDGE, CONCUR.