

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

STANLEY READ,

Appellant,

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

v.

CASE NO. 1D03-3675

CTL DISTRIBUTORS and
CRAWFORD & COMPANY,

Appellees.

Opinion filed October 29, 2004.

An appeal from an order of the Judge of Compensation Claims.

Mark H. Hofstad, Judge.

E. Taylor Davidson and Merette Oweis of DiCesare, Davidson & Barker, P.A.,
Lakeland, for Appellant.

Ricki L. Whipple and Rusten C. Hurd of Zimmerman, Kiser & Sutcliffe, P.A.,
Orlando, for Appellees.

PER CURIAM.

Claimant, Stanley Read, challenges two rulings of the Judge of Compensation
Claims (JCC), alleging error in (1) the JCC's finding that claimant was not permanently
and totally disabled (PTD) until November 20, 2002, because he had not achieved

overall maximum medical improvement (MMI) from both his physical and psychiatric injuries until that date, and (2) the JCC's denial of the claim for impairment benefits. As to the former issue, we affirm, and agree that competent, substantial evidence supports the JCC's finding of MMI. As to the second issue, we reverse and remand. In this regard, we note the E/C concedes that if the court affirms the JCC's finding that claimant attained PTD status as of November 20, 2002, the cause should be remanded with directions to determine the appropriate amount of permanent impairment benefits. Consequently, we direct the JCC to determine an appropriate award of impairment benefits for the period from April 1, 2001, the date TTD benefits terminated by operation of statute. Because the E/C paid claimant TTD benefits for a period of time from the date of the accident, April 1, 1999, until January 14, 2002, it shall be allowed a credit for TTD benefits it paid claimant subsequent to April 1, 2001.

AFFIRMED in part, REVERSED in part, and REMANDED.

ERVIN, ALLEN and HAWKES, JJ., CONCUR.