

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

STEVEN COLLINS,

Appellant/Cross-Appellee,

v.

ESCAMBIA ROOF MASTERS
and CNA INSURANCE,

Appellees/Cross-
Appellants.

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

CASE NO. 1D04-3536

Opinion filed August 19, 2005.

An appeal from an order of the Judge of Compensation Claims.
David W. Langham, Judge.

Woodburn S. Wesley of Woodburn S. Wesley & Assoc., Ft. Walton Beach, for
Appellant/Cross-Appellee.

Mary L. Wakeman of McConnaughay, Duffy, Coonrod, Pope & Weaver, P.A.,
Tallahassee, for Appellees/Cross-Appellants.

PER CURIAM.

The claimant is not entitled to recover workers' compensation benefits from the
employer/carrier because the claimant filed a valid notice of election to be exempt

from the provisions of chapter 440, Florida Statutes. See Battle v. Gentry, 898 So. 2d 263 (Fla. 1st DCA 2005); § 440.10(1), Fla. Stat. (2002). Therefore, the JCC's ruling is affirmed.

AFFIRMED.

KAHN, C.J., BARFIELD and DAVIS, JJ., CONCUR.