

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

MICHAEL MILES,

Appellant,

v.

K-MART CORPORATION and
CAMBRIDGE INTEGRATED
SERVICES GROUP, INC.,

Appellees.

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

CASE NO. 1D05-0440

Opinion filed April 12, 2005.

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

Frederick J. Daniels of Parrish & Smejkal, P.A., Winter Park, for appellant.

Gerald F. Znosko, Maitland, and Leigh Dunham of Eraclides, Johns, Hall, Gelman,
Eikner & Johannessen, L.L.P., Tampa, for appellees.

PER CURIAM.

As the order appealed merely grants a motion to vacate without vacating the prior order, the order is not a final order nor reviewable by petition for writ of certiorari. Cf. Threat v. Rogers, 443 So. 2d 149 (Fla. 1st DCA 1983). Accordingly, this appeal is hereby dismissed for lack of jurisdiction.

KAHN, VAN NORTWICK and HAWKES, JJ., concur.