

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

CLARENCE HAWKINS, SR.,

Appellant,

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

v.

CASE NO. 1D11-1137

PUBLIX SUPER MARKETS,  
INC., PUBLIX RISK  
MANAGEMENT,

Appellees.

---

Opinion filed October 17, 2011.

An appeal from an order of the Judge of Compensation Claims.  
Margaret E. Sojourner, Judge.

Dates of Accidents: March 18, 2009; June 28, 2010.

Harold E. Barker of Dicesare, Davidson & Barker, P.A., Lakeland, for Appellant.

Thomas P. Vecchio of Vecchio, Carrier & Feldman, P.A., Lakeland, for Appellees.

ON MOTION FOR REHEARING AND  
MOTION FOR REHEARING EN BANC

PER CURIAM.

We deny Appellant's motions for rehearing and rehearing en banc, but on our own motion, we withdraw our prior opinion and substitute the following in its place.

Appellant raises two issues in his appeal from an order denying his claims for impairment benefits, temporary disability benefits, and payment of medical expenses. He argues that the Judge of Compensation Claims (“JCC”) erred by relying on the opinion of one medical expert over another and by failing to make any factual findings to support denial of his request for costs. We affirm, finding that the JCC did not err in resolving conflicts in the medical testimony, and that Appellant failed to preserve for appeal the issue he now raises about inadequate factual findings. *See Hamilton v. R.L. Best Int’l*, 996 So. 2d 233, 234 (Fla. 1st DCA 2008) (holding if error is one that first appears in final order, aggrieved party must bring it to JCC’s attention by filing motion for rehearing).

AFFIRMED.

WOLF, DAVIS, and MARSTILLER, JJ., CONCUR.