

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2014

STATE OF FLORIDA,
Appellant,

v.

JORDAN HECTOR,
Appellee.

No. 4D13-961

[April 30, 2014]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; Robert R. Makemson, Judge; L.T. Case No. 562012CF002158D.

Pamela Jo Bondi, Attorney General, Tallahassee, and Don M. Rogers, Assistant Attorney General, West Palm Beach, for appellant.

V.J. (Jimmy) Benincasa, Vero Beach, for appellee.

PER CURIAM.

Defendant Jordan Hector and co-defendant Francisco Brock were charged with one count of fraud under section 440.105(4)(b)9., Florida Statutes (2012). The trial court granted the defendants' motion to dismiss, finding that, as the State was unable to prove that the defendants obtained employment for the purpose of workers' compensation benefits, and that they had neither claimed, filed for, nor received workers' compensation benefits, the defendants' motion to dismiss was "well taken and appropriate for granting."

For the reasons set forth in this court's opinion in *State v. Brock*, No. 4D13-962 (Fla. 4th DCA Apr. 30, 2014), we reverse the trial court's order dismissing the fraud charge and remand the cause to the trial court for further proceedings.

Reversed and remanded for further proceedings.

GROSS, GERBER and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.