

DISTRICT COURT OF APPEAL OF FLORIDA, FIRST DISTRICT

Michelle Flores v. Compass Group/Gallagher Bassett Services, Inc.

Flores · No. 1D15-5517 · Decided June 29, 2016

SUMMARY

The First District Court of Appeal of Florida reversed an order of the Judge of Compensation Claims in light of the Florida Supreme Court's decision in *Castellanos v. Next Door Co.* The case was remanded for proceedings consistent with that opinion.

CASE DETAILS

COURT	District Court of Appeal of Florida, First District
WRITING FOR THE COURT	Per Curiam; Robert Roberts, C.J.; W. Wolf, J.; Bradley Ray, J.
JURISDICTION	Florida
DECIDED	June 29, 2016
DOCKET	1D15-5517
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from an order of the Judge of Compensation Claims in a workers' compensation proceeding. The appeal was summarily disposed of after the appellees filed notice that they would not file an answer brief.
STANDARD OF REVIEW	Not expressly stated; the appeal was resolved by summary disposition under Florida Rule of Appellate Procedure 9.315(b).
PRECEDENTIAL VALUE	Published Florida District Court of Appeal opinion
PARTIES	Michelle Flores v. Compass Group/Gallagher Bassett Services, Inc.

TOPICS

workers compensation

appellate procedure

PRACTICE AREAS

workers compensation

appellate procedure

QUESTIONS PRESENTED

1. Whether the order of the Judge of Compensation Claims should be reversed in light of the Florida Supreme Court's decision in *Castellanos v. Next Door Co.*

HOLDINGS

1. Reversal was warranted in light of the Florida Supreme Court's recent opinion in *Castellanos v. Next Door Co.*; the order of the Judge of Compensation Claims was therefore reversed and the case remanded for proceedings consistent with *Castellanos*.

KEY QUOTATIONS

“finding that reversal is warranted in light of that opinion, the order of the Judge of Compensation Claims is REVERSED and this case is REMANDED for proceedings consistent with that opinion.”

FACTUAL BACKGROUND

The opinion identifies the underlying matter as a workers' compensation proceeding arising from an accident dated January 31, 2012. The court provides no further factual details because it summarily reversed the order of the Judge of Compensation Claims based on the Florida Supreme Court's intervening decision in *Castellanos v. Next Door Co.*

PROCEDURAL HISTORY

Michelle Flores appealed an order entered by Judge of Compensation Claims Mary A. D'Ambrosio. The First District determined that the appeal was appropriate for summary disposition under Florida Rule of Appellate Procedure 9.315(b), reversed the order in light of *Castellanos v. Next Door Co.*, and remanded for proceedings consistent with that opinion.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remanded for proceedings consistent with *Castellanos v. Next Door Co.*

CASES CITED

- *Castellanos v. Next Door Co.*, 41 Fla. L. Weekly S197 (Fla. Apr. 28, 2016)

OPINION

Michelle Flores v. Compass Group/ Gallagher Bassett etc.

PER CURIAM.

IN THE DISTRICT COURT OF APPEAL

FIRST DISTRICT, STATE OF FLORIDA

MICHELLE FLORES, NOT FINAL UNTIL TIME EXPIRES TO

FILE MOTION FOR REHEARING AND

Appellant, DISPOSITION THEREOF IF FILED

v. CASE NO. 1D15-5517

COMPASS

GROUP/GALLAGHER

BASSETT SERVICES, INC.,

Appellees. _____/ Opinion filed June 24, 2016. An appeal from an order of the Judge of Compensation Claims. Mary A. D'Ambrosio, Judge. Date of Accident: January 31, 2012. Rodrigo L. Saavedra, Jr., of Rodrigo L. Saavedra, Jr., P.A., Fort Lauderdale, for Appellant. Juan Carlos Garcia of Quintairos, Prieto, Wood & Boyer, P.A., Tampa, and Annie Kwong of Quintairos, Prieto, Wood & Boyer, P.A., Orlando, for Appellees. PER CURIAM. This court having received Appellees' notice of intent not to file an answer brief in response to the court's May 24, 2016, order that this case appears appropriate for summary disposition pursuant to Florida Rule of Appellate Procedure 9.315(b), based on the Supreme Court of Florida's recent opinion in Castellanos v. Next Door Co., 41 Fla. L. Weekly S197 (Fla. April 28, 2016), and finding that reversal is warranted in light of that opinion, the order of the Judge of Compensation Claims is REVERSED and this case is REMANDED for proceedings consistent with that opinion. ROBERTS, C.J., WOLF and RAY, JJ., CONCUR. 2