

DISTRICT COURT OF APPEAL OF FLORIDA, FIRST DISTRICT

**Mirta Groseclose v. Optimum Oncology-Comprehensive Cancer
Center/Gallagher Bassett Services, Inc.**

Groseclose · No. 1D12-3912 · Decided December 1, 2016

OPINION

PER CURIAM.

IN THE DISTRICT COURT OF APPEAL FIRST DISTRICT, STATE OF FLORIDA MIRTA GROSECLOSE, NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND Appellant, DISPOSITION THEREOF IF FILED v. CASE NO. 1D12-3912 OPTIMUM ONCOLOGY- COMPREHENSIVE CANCER CENTER/ GALLAGHER BASSETT SERVICES, INC., Appellees. _____/ Opinion filed December 1, 2016.

An appeal from an order of the Judge of Compensation Claims. Gerardo Castiello, Judge. Date of Accident: September 26, 2008. Bram J. Gechtman, Miami, Robert J. Fiore of Robert J. Fiore, P.A., Miami, and Marjorie Gadarian Graham of Marjorie Gadarian Graham, P.A., Palm Beach Gardens, for Appellant. Eduardo E. Neret and Javier A. Finlay of the Law Offices of Eduardo E. Neret, P.A., Miami, for Appellees.

PER CURIAM. The court having received the October 27, 2016, order of the Supreme Court of Florida quashing this court's opinion of October 23, 2013, and remanding the matter for reconsideration upon application of *Westphal v. City of St. Petersburg*, 194 So. 3d 311 (Fla. 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.

RAY, BILBREY, and JAY, JJ., CONCUR. 2