

**DISTRICT COURT OF APPEAL
FIRST APPELLATE DISTRICT
TALLAHASSEE, FLORIDA**

**CARPENTER CONTRACTORS
OF
AMERICA/ZURICH AMERICAN
INSURANCE COMPANY,
Appellants,**

Docket No: Unknown

**Lower Tribunal
Case No.: 21-016248RAA**

D/Accidents: 5/10/2021

vs.

DARRELL HEARNS,

Appellee.

NOTICE OF APPEAL

COMES NOW the Employer/Carrier/Appellants, **CARPENTER CONTRACTORS OF AMERICA/ZURICH AMERICAN INSURANCE COMPANY**, by and through their undersigned attorney, and appeal to the District Court of Appeal, First District of Florida, the Final Order following a hearing entered by the Honorable Robert A. Arthur, on March 16, 2023. The nature of the Order on appeal is a Final Compensation Order that was entered following a final hearing that was held on February 16, 2023.

CERTIFICATE OF THE APPELLANTS

I HEREBY CERTIFY that this appeal affects only the following periods and classifications of benefits and medical treatment:

1. The Judge of Compensation Claims' finding that the Claimant's injuries were compensable.

2. The Judge of Compensation Claims' finding the Claimant was not the aggressor.

3. The Judge of Compensation Claims' finding that the presumption of intoxication does not apply and/or would not preclude the award of benefits.

4. The Judge of Compensation Claims' finding that the Claimant did not make false fraudulent or misleading statements.

5. The Judge of Compensation Claims' award of temporary partial disability benefits from May 11, 2021 through May 16, 2021, and then for May 19, 2021.

6. The Judge of Compensation Claims' award of temporary partial disability benefits starting January 19, 2023.

7. The Judge of Compensation Claims award of penalties and interest.

8. The Judge of Compensation Claims award of payment of medical bills, at fee schedule.

9. The Judge of Compensation Claims' award of attorney fees and taxable costs at the expense of the Employer/Carrier.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original of this pleading was furnished via electronic filing with DOAH on this 14th day of April, 2023 to the Office of the Judge of Compensation Claims, and a copy e-served to: Pat T. DiCesare, II, Esquire, at his designated email address(es): kcrosby@ddblaw.com; kvanmiddlesworth@ddblaw.com.

/s/ Robert B. Bennett

Robert B. Bennett, Esquire

rbennett@bj-law.com

Florida Bar No. 870765

Bennett, Jacobs & Adams, P.A.

Post Office Box 3300

Tampa, FL 33601

Telephone: 813-272-1400

Facsimile: 813-272-1401

Attorney for

Employer/Carrier/Appellants