

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

HIT PROMOTIONAL
PRODUCTS INC. and
VIGILANT INSURANCE
COMPANY C/O CHUBB
GROUP OF INS. CORP.,

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

Appellants,

v.

CASE NO. 1D11-4097

SAKIBA KRIVDIC,

Appellee.

_____ /

Opinion filed April 12, 2012.

An appeal from an order of the Judge of Compensation Claims.
Donna S. Remsnyder, Judge.

Date of Accident: August 27, 2010.

Mark A. Massey of Walton, Lantaff, Schroeder & Carson, LLP, Tampa, for
Appellants.

Matthew E. Noyes of Perenich, Caulfield, Avril & Noyes, P.A., Clearwater, for
Appellee.

PER CURIAM.

In this workers' compensation appeal, the Employer/Carrier (E/C)
challenges the Judge of Compensation Claims' (JCC's) award of a \$2,000 advance

to Claimant. We affirm the award of the advance because competent substantial evidence supports the JCC's finding that Claimant has been unable to return to the same or equivalent employment, one of the three alternative statutory requisites for an award of an advance of \$2,000 or less. See § 440.20(12)(c), Fla. Stat. (2010).

The E/C also argues that the JCC made a de facto finding that Claimant's injuries were compensable. Because that issue was not before the JCC, we strike from the order the phrase "work-related" in paragraph eight. See City of Venice v. Van Dyke, 46 So. 3d 115, 116 (Fla. 1st DCA 2010) (striking findings addressing compensability of claimant's hypertension because there was no pending claim for same).

The order is AFFIRMED as modified.

WOLF, RAY, and MAKAR, JJ., CONCUR.