

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D2022-1804

TONI L. VILLAYERDE, PLLC,

Appellant,

v.

JORGE CASTILLO, AMERICAN
AIRLINES, and SEDGWICK CMS,

Appellees.

On appeal from the Office of the Judges of Compensation Claims.
Margret G. Kerr, Judge of Compensation Claims.

November 27, 2024

ON APPELLANT'S MOTION FOR REHEARING

PER CURIAM.

We deny Toni L. Villaverde, PLLC's motion for rehearing. On our own motion, we withdraw our opinion docketed July 31, 2024, and substitute the following in its place.

On June 9, 2022, this Court received a notice of appeal regarding a case before a Judge of Compensations Claim (JCC), Case No. 12-023578MGK. The case appealed was styled *Jorge Castillo, Employee, -vs- American Airlines and Sedgwick CMS, Employer/Servicing Agent*. However, the notice read as follows: "NOTICE is hereby given that Toni L Villaverde, PLLC, Appellant, appeals to the First District Court of Appeal the Orders of the

Judge of Compensation Claims Margret G. Kerr dated 5/26/21, 6/15/21, and 5/10/22 which was Amended on 5/26/22.” In other words, Toni L. Villaverde, PLLC (Villaverde), identified itself as the appellant, in spite of the fact that it was not a party to the proceedings below. Eventually, the case was simply designated in this Court as Toni L. Villaverde, PLLC, Appellant v. Jorge Castillo, American Airlines, and Sedgwick CMS, Appellees.

Villaverde is Castillo’s former attorney in the proceeding below. The orders appealed established the costs and attorney’s fees to which Villaverde was entitled based on its lien of Castillo’s workers’ compensation claim. Villaverde is Castillo’s former attorney, not a party to the administrative proceeding.

Because it was not a party to the proceedings below, Villaverde is not a party here. *See Fla. R. App. P. 9.020(g)(1)* (an appellant is “[a] *party* who seeks to *invoke the appeal jurisdiction* of the court[]” (emphasis supplied)). Because Villaverde is not a party in this appeal, the appeal is DISMISSED.

ROBERTS, WINOKUR, and LONG, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Toni L. Villaverde, Toni L. Villaverde, PLLC, Coral Gables, for Appellant.

Michael Hernandez of Jones Hurley & Hand, P.A., Miami; Mark L. Zientz, Aventura, and Claudia Negrette-Gonzalez, Coral Gables, for Appellee Jorge Castillo.