

CASE NO. 5941 CRB-3-14-6  
CLAIM NO. 300104020 : COMPENSATION REVIEW BOARD

JOSEPH MORGILLO  
CLAIMANT-APPELLEE : WORKERS' COMPENSATION  
COMMISSION

v.

GINNETTI TRUCKING : JULY 15, 2014  
EMPLOYER

and

YORK RISK SERVICES GROUP, INC.  
INSURER  
RESPONDENTS-APPELLANTS

## **REMAND ORDER**

Respondents filed a Petition for Review on June 9, 2014 from a May 22, 2014 Order pursuant to Sec. 31-288(b)(1). No record exists. Due process requires an evidentiary hearing where a record can be created. Absent a record the Compensation Review Board cannot properly consider an appeal under Sec. 31-301.

The appeal is therefore remanded for a Formal Hearing or other appropriate action. See Brennan v. Comcast Corporation, 5638 CRB-6-11-3 (April 1, 2011), Torres v. Laidlaw Transit, 5544 CRB-4-10-4 (April 26, 2010).

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John A. Mastropietro, Chairman  
Compensation Review Board  
Workers' Compensation Commission