

CASE NO. 6094 CRB-7-16-5
CLAIM NO. 700173997 : COMPENSATION REVIEW BOARD

JAMIE ALLEY
CLAIMANT-APPELLEE : WORKERS' COMPENSATION
COMMISSION

v.

PERFORMANCE LANDEX, LLC : MAY 12, 2016
EMPLOYER

and

LIBERY MUTUAL INSURANCE CO.
INSURER
RESPONDENTS-APPELLANTS

REMAND ORDER

On May 3, 2016 respondents filed a Petition for Review from the commissioner acting for the Seventh District's April 19, 2016 Order denying respondents' Form 36. The Order was issued as the result of an informal hearing wherein no record exists. Due process requires an evidentiary hearing where a record can be created. This board cannot properly consider this appeal under Sec. 31-301(a).

The matter is therefore remanded to the trial commissioner for a Formal Hearing or other appropriate action. See, Passalugo v. Guida-Seibert Dairy Company, 5796 CRB-6-12-11 (November 27, 2012), Chung v. TTM Technologies, Inc., 5675 CRB-2-11-8 (August 23, 2011).

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