

CASE NO. 6143 CRB-2-16-10
CLAIM NO. 200193432 : COMPENSATION REVIEW BOARD

DEVON L. FLORY
CLAIMANT-APPELLEE : WORKERS' COMPENSATION
COMMISSION

v.

LOWE'S DISTRIBUTION CENTER : NOVEMBER 7, 2016
EMPLOYER
SELF-INSURED

and

SEDGWICK, CMS, INCORPORATED
ADMINISTRATOR
RESPONDENTS-APPELLANTS

REMAND ORDER

Respondents filed a Petition for Review October 20, 2016 from an October 12, 2016 order issued as a result of an informal hearing that was held September 21, 2016. No record exists. Due process requires an evidentiary hearing where a record can be created. Absent a record, this board cannot properly consider an appeal pursuant to Sec. 31-308(a).

This matter is therefore remanded to the trial commissioner acting for the Second District for a Formal Hearing or other appropriate action. See Alley v. Performance Landex, LLC, 6094 CRB-7-16-5 (May 12, 2016); Morgillo v. Ginnetti Trucking, 6009 CRB-3-15-3 (May 22, 2015).

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