

CASE NO. 6241 CRB-5-17-12  
CLAIM NO. 500153802 : COMPENSATION REVIEW BOARD

DAWN C. HEMINGWAY  
CLAIMANT-APPELLANT : WORKERS' COMPENSATION  
COMMISSION

v.

STATE OF CONNECTICUT/  
DEPT. OF DEVELOPMENTAL : FEBRUARY 5, 2018  
SERVICES – WEST REGION  
EMPLOYER  
SELF-INSURED  
RESPONDENT-APPELLEE

and

GALLAGHER BASSETT SERVICES, INC.  
ADMINISTRATOR

## **REMAND ORDER**

The claimant filed a Petition for Review on January 25, 2018 from the December 12, 2017 “31-308a Order” issued by the trial Commissioner acting for the Fifth District. No transcripts or exhibits exists, therefore it appears 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 pursuant to General Statutes § 31-301(a).

This matter is therefore remanded to the trial Commissioner acting for the Fifth District for a formal hearing or other appropriate action. See Rodriguez v. State/Department of Developmental Services, 5893 CRB-5-13-10 (November 22, 2013); Macbride v. Connecticut Energy Corp., 5668 CRB-3-11-7 (August 5, 2011).

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