

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F712298

GABRIEL RAMIREZ, EMPLOYEE	CLAIMANT
WAL-MART, EMPLOYER	RESPONDENT
CLAIMS MANAGEMENT, INC.	RESPONDENT

ORDER FILED DECEMBER 11, 2009

Upon review before the FULL COMMISSION in Little Rock, Pulaski County, Arkansas.

Claimant represented by the HONORABLE EVELYN BROOKS, Attorney at Law, Mountain Home, Arkansas.

Respondent represented by the HONORABLE J. DAVID DIXON, Attorney at Law, North Little Rock, Arkansas.

ORDER

This matter comes on for review before the Commission on claimant's Motion to Remand File to Administrative Law Judge to Expand Record. The respondent has filed a response thereto.

After our consideration of claimant's motion, and considering the respondent's objection, and all other matters properly before the Commission, we find that claimant's motion should be denied.

The claimant does not specify what evidence the Administrative Law Judge purportedly inadvertently omitted from the record, but the Commission notes that

the record contains Commission's Exhibit No. 2 titled "Exhibits Submitted Subsequent to the Hearing on May 18, 2009," consisting of a one page letter from Judge Ellig to Evelyn Brooks dated June 10, 2009 and a one page letter from Evelyn Brooks to Judge Ellig dated June 8, 2009. Should the claimant desire to have additional evidence admitted to the record, the proper motion is a Motion to Introduce Additional Evidence.

Accordingly, we find that claimant's Motion to Remand File to Administrative Law Judge to Expand Record, should be and hereby is, denied.

As the appeal of this matter was necessarily stayed for the disposition of this motion, the Clerk of the Commission is directed to set another briefing schedule forthwith.

\_\_\_\_\_ IT IS SO ORDERED.

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A. WATSON BELL, Chairman

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KAREN H. MCKINNEY, Commissioner

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PHILIP A. HOOD, Commissioner