

**WORKERS' COMPENSATION APPEALS BOARD
STATE OF CALIFORNIA**

**CHRISTIAN AVILA GARCIA, DEC'D/
SINTIA GARCIA, GUARDIAN AD LITEM, *Applicant***

vs.

**BAYVIEW ENVIRONMENTALSERVICES &
BERKELEY ENTERTAINMENT, *Defendants***

**Adjudication Number: ADJ12393038
Oakland District Office**

**OPINION AND ORDER GRANTING
PETITION FOR REMOVAL AND
DECISION AFTER REMOVAL**

We have considered the allegations of the Petition for Removal and the contents of the report of the workers' compensation administrative law judge (WCJ) with respect thereto. Based on our review of the record and on the WCJ's analysis of the petitioner's arguments in the report, we will grant the Petition for Removal, rescind the WCJ's decision, and return this matter to the WCJ for further proceedings and decision.

For the foregoing reasons,

IT IS ORDERED that the Petition for Removal of the decision of the January 20, 2021 Minute Order is **GRANTED**.

IT IS FURTHER ORDERED as the Decision After Removal of the Workers' Compensation Appeals Board that the January 20, 2021 Minute Order is **RESCINDED** and that the matter is **RETURNED** to the trial level for further proceedings and decision by the WCJ.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ MARGUERITE SWEENEY, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

May 21, 2021

SERVICE MADE ON THE ABOVE DATE ON THE PERSONS LISTED BELOW AT THEIR ADDRESSES SHOWN ON THE CURRENT OFFICIAL ADDRESS RECORD.

**SINTIA YANETH GARCIA
MARK VICKNESS
PEARLMAN BROWN**

PAG:acw

I certify that I affixed the official seal of the Workers' Compensation Appeals Board to this original decision on this date. *abs*