

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

JULIANNE SANTA CRUZ, *Applicant*

vs.

**ROSE HILLS MORTUARY;
STATE COMPENSATION INSURANCE FUND, *Defendants***

**Adjudication Number: ADJ2943180
Pomona District Office**

**OPINION AND ORDER
DENYING PETITION
FOR REMOVAL**

Applicant has filed a petition for removal from two orders rejecting a declaration of readiness to proceed (DOR), the first issued on February 20, 2026, and the second issued on February 23, 2026, by the workers' compensation administrative law judge (WCJ). The WCJ rejected applicant's DORs, in part, because applicant already had a hearing set on another issue.

Applicant contends that a second hearing should have been set.

We have not received an Answer from defendant. The WCJ filed a Report and Recommendation on Petition for Removal (Report) recommending that we deny removal.

Applicant requested leave to file a supplemental petition, which we grant. (Cal. Code Regs., tit. 8, § 10964.)

We have considered the allegations of the Petition for Removal, the supplemental petition, and the contents of the WCJ's Report. Based on our review of the record and based upon the WCJ's analysis of the merits of petitioner's arguments in the WCJ's Report, we will deny removal.

Removal is an extraordinary remedy rarely exercised by the Appeals Board. (*Cortez v. Workers' Comp. Appeals Bd.* (2006) 136 Cal.App.4th 596, 599, fn. 5 [71 Cal.Comp.Cases 155]; *Kleemann v. Workers' Comp. Appeals Bd.* (2005) 127 Cal.App.4th 274, 280, fn. 2 [70 Cal.Comp.Cases 133].) The Appeals Board will grant removal only if the petitioner shows that substantial prejudice or irreparable harm will result if removal is not granted. (Cal. Code Regs., tit. 8, 10955(a); see also *Cortez, supra*; *Kleemann, supra*.) Also, the petitioner must demonstrate

that reconsideration will not be an adequate remedy if a final decision adverse to the petitioner ultimately issues. (Cal. Code Regs., tit. 8, § 10955(a).) Here, based upon the WCJ's analysis of the merits of petitioner's arguments, we are not persuaded that substantial prejudice or irreparable harm will result if removal is denied and/or that reconsideration will not be an adequate remedy if the matter ultimately proceeds to a final decision adverse to petitioner.

Applicant alleges harm in not being able to set an expedited hearing in addition to an MSC, which was already set on a different issue. In workers' compensation, the general rule is that all matters are submitted at a *single* trial. (Cal. Code Regs., tit. 8, § 10787(a).) In the future, applicant may either file a letter requesting to amend the issues on the presently set MSC to include the issue of medical treatment, or applicant may request to take the MSC off calendar so that an expedited hearing may be set by the court.

Accordingly, we deny removal.

For the foregoing reasons,

IT IS ORDERED that applicant's Petition for Removal filed on March 4, 2026, is **DENIED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ JOSEPH V. CAPURRO, COMMISSIONER

I CONCUR,

/s/ CRAIG L. SNELLINGS, COMMISSIONER

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

JULY 9, 2026

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

**JULIANNE SANTA CRUZ
PEREZ LAW
STATE COMPENSATION INSURANCE FUND**

EDL/mt

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