

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

**FORREST ARMSTRONG, *Applicant***

**vs.**

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION;  
STATE COMPENSATION INSURANCE FUND, *Defendants***

**Adjudication Number: ADJ10311101  
Sacramento District Office**

**OPINION AND ORDER  
DISMISSING PETITION FOR  
RECONSIDERATION  
AND REMOVAL**

On March 29, 2021, applicant filed a Petition for Reconsideration or in the Alternative Petition for Removal from a March 11, 2021 Minute Order wherein the WCJ noted that he had requested a new commutation from the Disability Evaluation Unit (DEU). We have considered the allegations of the petition and the contents of the report of the workers' compensation administrative law judge (WCJ) with respect thereto. No final nor non-final decision has issued in this case. Therefore, applicant is not aggrieved. Accordingly, we will dismiss both reconsideration and removal.

We also note that on March 18, 2021, applicant filed a Declaration of Readiness to Proceed (DOR) requesting to cross-examine the DEU rater regarding the March 12, 2021 commutation. Therefore, upon this matter's return to the trial level it should be set for further hearing.

For the foregoing reasons,

**IT IS ORDERED** that the Petition for Reconsideration and Removal is **DISMISSED**.

**WORKERS' COMPENSATION APPEALS BOARD**

/s/ KATHERINE A. ZALEWSKI, CHAIR

I CONCUR,

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

/s/ DEIDRA E. LOWE, COMMISSIONER



**DATED AND FILED AT SAN FRANCISCO, CALIFORNIA**

**May 20, 2021**

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

**FORREST ARMSTRONG  
MASTAGNI HOLSTEDT  
STATE COMPENSATION INSURANCE FUND**

**PAG/ara**

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