

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

RALPH CHESTNUT, *Applicant*

vs.

**SHASTA COUNTY WORK RELEASE PROGRAM, permissibly self-insured,
adjusted by SHASTA MANAGEMENT, *Defendants***

**Adjudication Number: ADJ11419714
Redding District Office**

**OPINION AND ORDER
DISMISSING PETITION FOR
RECONSIDERATION**

On July 31, 2023, applicant, in pro per, filed correspondence dated July 14, 2023. We will treat this correspondence as a Petition for Reconsideration of our June 29, 2023 Opinion and Decision After Reconsideration. Based on our review of the petition and the record in this matter, we will dismiss the petitions as successive.

It is well settled that where a party fails to prevail on a prior petition, the Appeals Board will not entertain a successive petition by that party unless the party is newly aggrieved. (See *Goodrich v. Industrial Acc. Com.* (1943) 22 Cal.2d 604, 611 [8 Cal.Comp.Cases 177]; see also *Ramsey v. Workmen's Comp. Appeals Bd.* (1971) 18 Cal.App.3d 155, 159 [36 Cal.Comp.Cases 382]; see also *Crowe Glass Co. v. Industrial Acc. Com. (Graham)* (1927) 84 Cal.App. 287, 293-295 [14 IAC 221].). As stated in our en banc opinion in *Navarro v. A & A Framing* (2002) 67 Cal.Comp.Cases 296, 299 (Appeals Board en banc):

The general rule is that where a party has filed a petition for reconsideration with the Board, but the party does not prevail on that petition for reconsideration, the petitioning party cannot attack the [Appeal's] Board's action by filing a second petition for reconsideration; rather, the petitioning party must either be bound by the [Appeals] Board's action or challenge it by filing a timely petition for writ of review.

It is improper for applicant to file multiple petitions that attempt to relitigated issues that have already determined against applicant.

For the foregoing reasons,

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

WORKERS' COMPENSATION APPEALS BOARD

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

I CONCUR,

/s/ PATRICIA A. GARCIA, DEPUTY COMMISSIONER

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

October 2, 2023

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

**RALPH CHESTNUT
LAUGHLIN, FALBO, LEVY & MORESI**

PAG/ara

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