

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services



MURIEL BOWSER
MAYOR

ODIE DONALD II
DIRECTOR

COMPENSATION REVIEW BOARD

CRB No. 15-194 (R)(1)

**HORACE HENSLEY,
Claimant,**

v.

**CHEECHI & COMPANY and
ATLANTIC MUTUAL INSURANCE COMPANY,
Employer/Insurer.**

DEPT. OF EMPLOYMENT
SERVICES
COMPENSATION REVIEW
BOARD
2017 SEP 25 PM 1 32

On Reconsideration of an August 30, 2017 Decision and Order on Remand by
the Compensation Review Board.

On Remand from the District of Columbia Court of Appeals
DCCA No. 16-AA-668

Appeal from a May 5, 2016 Compensation Review Board Decision and Order
that affirmed a November 20, 2015 Order by
Administrative Law Judge Nata K. Brown
AHD No. 92-359K, OWC No. 115568

(Decided September 25, 2017)

Horace E. Hensley, *Pro Se*
Alan M. Carlo for Employer

Before HEATHER C. LESLIE, LINDA F. JORY, and JEFFREY P. RUSSELL, *Administrative Appeals
Judges.*

HEATHER C. LESLIE, for the Compensation Review Board.

ORDER DENYING RECONSIDERATION

BACKGROUND

The facts and procedural history are outlined in our prior Decision and Remand Orders and will not be reiterated here. *See Hensley v. Cheechi & Company*, CRB No. 15-194 (R)(August 30, 2017)(“*Hensley*”). We direct the parties to those orders for a detailed summary.

In our most recent *Hensley* decision, issued on August 30, 2017, after considering remand instructions from the District of Columbia Court of Appeals, the Compensation Review Board (“CRB”) concluded:

The December 26, 2013 Order Denying Motion to Compel Discovery is affirmed. The November 20, 2015 Order Denying Motion to Lift Stay, Denying Motion to Rescind AHD No. 92-359K and Order Denying Motion to Compel Discovery is neither arbitrary, capricious, nor an abuse of discretion, and is in accordance with the law. It is **AFFIRMED**.

Hensley at 5.

The CRB also concluded that as it presently stands, any issues arising out of AHD No. 92-359K are moot as there is nothing pending at the Administrative Hearings Division.

On September 21, 2017, the CRB received a Motion for Reconsideration from Claimant.

We note that 7 DCMR § 268.1 states:

Any party may, within ten (10) calendar days from the date shown on the certificate of service of the Decision and Order of the Board or of any order issued by the Board, file a request for reconsideration thereof with the Clerk of the Board.

Claimant’s September 21, 2017 request for reconsideration of our August 30, 2017 Decision and Order is untimely pursuant to 7 DCMR § 268.1 as it was filed beyond the 10 calendar day filing requirement.¹

Claimant’s request for reconsideration is **DENIED**.

So ordered.

¹ As 10 days from August 30, 2017, fell on Saturday, September 9, 2017, Claimant’s request for reconsideration would have to have been filed no later than Monday, September 11, 2017 to be considered timely.