

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services

MURIEL BOWSER
MAYOR



DEBORAH A. CARROLL
DIRECTOR

COMPENSATION REVIEW BOARD

CRB No. 14-127 (1)

SHIRLEY G. LATTIMORE,
Claimant-Respondent and Cross-Petitioner,

v.

CVS PHARMACY,
Self-Insured Employer-Petitioner and Cross-Respondent.
AHD No. 09-243F, OWC No. 641909

DEPT. OF EMPLOYMENT
SERVICES
COMPENSATION REVIEW
BOARD
2015 APR 30 AM 10 24

Shirley G. Lattimore, *pro se* Claimant
Joel Ogden for Employer

Before JEFFREY P. RUSSELL, and HEATHER C. LESLIE, *Administrative Appeals Judges*, and
LAWRENCE D. TARR, *Chief Administrative Appeals Judge*.

JEFFREY P. RUSSELL for the Compensation Review Board.

ORDER OF DISMISSAL OF MOTION FOR RECONSIDERATION

On March 24, 2015, the Compensation Review Board issued a Decision and Remand Order in the above noted case, remanding a Compensation Order to the Administrative Hearings Division (AHD) of the Department of Employment Services (DOES).

On April 13, 2015, Claimant-Respondent and Cross-Petitioner Shirley Lattimore filed a Petition for Review of the March 24, 2015 Decision and Remand Order with the District of Columbia Court of Appeals. This filing removed the matter from the jurisdiction of the DOES, AHD and the CRB.

On April 23, 2015, the CRB received a letter from Ms. Lattimore bearing a date of March 26, 2015; the letter was not received by the CRB or DOES until April 23, 2015.

The letter makes numerous requests that the CRB take various actions with respect to her case in general and the Decision and Remand Order in particular. For the reasons set forth below, we need not inventory or set forth those requests in detail. However, because one of the requested

actions is that the CRB reconsider the March 24, 2015 Decision and Remand Order, we shall denominate it a Motion for Reconsideration.

First, an appeal of a matter to the District of Columbia Court of Appeals divests the forum from which the appeal is taken of jurisdiction over those matters that are the subject of the appeal. *See Araya v. Keleta*, 65 A.3d 40 (D.C. 2013). Thus, this agency does not presently have jurisdiction over the matters at issue in the Decision and Remand Order of March 24, 2015.

Second, 7 DCMR § 268.1 states:

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

The letter not having been filed with the Agency within ten (10) days of March 24, 2015, even if the Agency still retained jurisdiction, is untimely.

Accordingly the Motion for Reconsideration is DENIED and DISMISSED.

FOR THE COMPENSATION REVIEW BOARD:



JEFFREY P. RUSSELL

Administrative Appeals Judge

April 30, 2015

DATE