

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

HAROLD JACKSON, *Applicant*

vs.

TAMPA BAY BUCCANEERS, self-insured, administered by ESIS, *Defendants*

**Adjudication Numbers: ADJ11575919; ADJ11522222; ADJ11568191; ADJ11649533
Santa Ana District Office**

**OPINION AND ORDER
CORRECTING CLERICAL ERROR**

It has come to the Appeals Board's attention that its decision issued on March 9, 2021 contains a clerical error in that it omits Case Nos. ADJ11522222; ADJ11568191 and ADJ11649533 in the caption. We will correct this clerical error by virtue of this order, without granting reconsideration as such errors may be corrected without further proceedings at any time. (*Toccalino v. Worker's Comp. Appeals Bd.* (1982) 128 Cal.App.3d 543, 558 [47 Cal.Comp.Cases 145]; see also 2 Cal. Workers' Comp. Practice (Cont. Ed. Bar, March 2018 Update) Supplemental Proceedings, § 23.74, p. 23-76.)

Accordingly, we now issue this Order correcting this clerical error and substituting the correct case numbers in the caption as listed herein.

For the forgoing reasons,

IT IS ORDERED that the clerical error of omission of Case Nos. ADJ11522222; ADJ11568191 and ADJ11649533 in the caption in the Opinion and Order Denying Petition for Removal issued on March 9, 2021 is **CORRECTED** to include Case Nos. ADJ11522222; ADJ11568191 and ADJ11649533 in the caption.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

/s/ DEIDRA E. LOWE, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

March 23, 2021

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

**HAROLD JACKSON
BOBER PETERSON & KOBY
DIMACULANGAN ASSOCIATES
GLENN STUCKEY
GOLDBERG SEGALLA
STATE COMPENSATION INSURANCE FUND
WALL MCCORMICK**

bea

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

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

HAROLD JACKSON, *Applicant*

vs.

TAMPA BAY BUCCANEERS, self-insured, administered by ESIS, *Defendants*

**Adjudication Number: ADJ11575919
Santa District Office**

**OPINION AND ORDER
DENYING PETITION
FOR REMOVAL**

We have considered the allegations of the Petition for Removal and the contents of the report of the workers' compensation administrative law judge (WCJ) with respect thereto. 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, former § 10843(a), now § 10955(a) (eff. Jan. 1, 2020); 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, former § 10843(a), now § 10955(a) (eff. Jan. 1, 2020).) 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.

For the foregoing reasons,

IT IS ORDERED that the Petition for Removal is **DENIED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER

I CONCUR,

/s/ ANNE SCHMITZ, DEPUTY COMMISSIONER

/s/ DEIDRA E. LOWE, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

March 9, 2021

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

**HAROLD JACKSON
BOBER PETERSON & KOBY
GLENN STUCKEY
GOLDBERG SEGALLA
WALL MCCORMICK**

bea

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