

In the Matter of the Compensation of
CREIGHTON E. KENNEY, Claimant
WCB Case No. 11-05964, 10-06553
ORDER DENYING RECONSIDERATION
Unrepresented Claimant
Holly O'Dell, SAIF Legal, Defense Attorneys

Reviewing Panel: Members Langer and Weddell.

On August 15, 2012, we adhered to our June 13 order that affirmed an Administrative Law Judge's (ALJ's) order that upheld the SAIF Corporation's denial of claimant's new/omitted medical condition claim for a left knee condition. In doing so, we declined to consider several of claimant's evidentiary and procedural objections as untimely raised and also found no abuse of discretion in the ALJ's ruling concerning a "Worker Requested Medical Examination" matter. We have since received a copy of claimant's letter, which expresses disagreement with our order and states that he "would like to appeal the board decision * * *." We treat this submission as a motion for reconsideration of our August 15 order. Based on the following reasoning, we decline to further consider this matter.

On Page 3 of our August 15 order, we set forth the procedures to follow if a party disagreed with our decision. Based on claimant's recent letter, he apparently is dissatisfied with the conclusions reached in our order. Consistent with the "appeal notice" on Page 3 of our decision, he should file a petition for judicial review of our decision with the Court of Appeals described therein.¹

In conclusion, because we have nothing to add to our previous decision, we decline to further consider our order. Consequently, the parties' 30-day statutory rights of appeal shall continue to run from the date of our August 15 order.

IT IS SO ORDERED.

Entered at Salem, Oregon on August 28, 2012

¹ Because claimant is unrepresented, he may wish to consult the Ombudsman for Injured Workers. He may contact the Ombudsman, free of charge, at 1-800-927-1271, or write to:

DEPT OF CONSUMER & BUSINESS SERVICES
OMBUDSMAN FOR INJURED WORKERS
PO BOX 14480
SALEM OR 97309-0405