

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

VELEDA BURTON, *Applicant*

**SEE'S CANDIES; TRAVELERS PROPERTY AND CASUALTY COMPANY OF
AMERICA, *Defendants***

**Adjudication Numbers: ADJ13196307, ADJ13196309, ADJ13196308
Oakland District Office**

**OPINION AND ORDER
DISMISSING PETITION
FOR REMOVAL**

Applicant has filed a petition for removal from the order setting the matter for trial issued on January 8, 2026, by the workers' compensation administrative law judge (WCJ).

Applicant generally contends that multiple errors exist in her case and that trial should not proceed.

We have not received an answer from the defendant. The WCJ filed a Report and Recommendation on Petition for Removal (Report) recommending that we deny removal.

We have considered the allegations of the Petition for Removal and the contents of the WCJ's Report. Based on our review of the record we will dismiss the Petition for Removal so that the WCJ can address any objections raised by applicant at a hearing and create a record.

Decisions of the Appeals Board "must be based on admitted evidence in the record." (*Hamilton v. Lockheed Corporation (Hamilton)* (2001) 66 Cal.Comp.Cases 473, 476 (Appeals Board en banc).) Furthermore, decisions of the Appeals Board must be supported by substantial evidence. (Lab. Code, §§ 5903, 5952(d); *Lamb v. Workmen's Comp. Appeals Bd.* (1974) 11 Cal.3d 274 [39 Cal.Comp.Cases 310]; *Garza v. Workmen's Comp. Appeals Bd.* (1970) 3 Cal.3d 312 [35 Cal.Comp.Cases 500]; *LeVesque v. Workmen's Comp. Appeals Bd.* (1970) 1 Cal.3d 627 [35 Cal.Comp.Cases 16].) An adequate and complete record is necessary to understand the basis for the WCJ's decision. (Lab. Code, § 5313; see also Cal. Code Regs., tit. 8, § 10761.)

Here, the petition for removal contains a multitude of objections. It appears that no record exists to address the vast majority of objections applicant has lodged. We will return this matter to the trial level to create a record.

To the extent that applicant argues that she requested more time to complete the pre-trial conference statement, applicant's request was granted. Thus, applicant is not aggrieved by the order setting this matter for trial and removal will be dismissed.

We do not address the merits of the arguments raised by applicant as the WCJ may address these at trial in the first instance.

Accordingly, we dismiss the Petition for Removal.

For the foregoing reasons,

IT IS ORDERED that applicant's Petition for Removal from the order setting the matter for trial issued on January 8, 2026, by the WCJ is **DISMISSED**.

WORKERS' COMPENSATION APPEALS BOARD

/s/ CRAIG L. SNELLINGS, COMMISSIONER

I CONCUR,

/s/ KATHERINE A. ZALEWSKI, CHAIR

/s/ KATHERINE WILLIAMS DODD, COMMISSIONER



DATED AND FILED AT SAN FRANCISCO, CALIFORNIA

MARCH 13, 2026

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

**VELEDA BURTON
LAURA G. CHAPMAN & ASSOCIATES**

EDL/mt

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