

**11 NCAC 23A .0704      REMAND FROM THE APPELLATE COURTS**

When a case is remanded to the Commission from the appellate courts, each party may file a statement, with or without a brief, to the Full Commission setting forth its position on the actions or proceedings, including evidentiary hearings or depositions, required to comply with the court's decision. This statement shall be filed within 30 days of the issuance of the court's mandate and shall be filed with the Commissioner who authored the Full Commission decision or the Commissioner designated by the Chairman of the Commission if the Commissioner who authored the decision is no longer a member of the Industrial Commission. The deadline to submit the statement to the Commission shall be stayed automatically upon a party filing a petition for discretionary review or rehearing to the appellate courts. The stay shall be automatically lifted if the petition for discretionary review or rehearing is denied by the appellate courts.

*History Note:*      *Authority G.S. 97-80(a); 97-86;*  
                          *Eff. November 1, 2014;*  
                          *Recodified from 04 NCAC 10A .0704 Eff. June 1, 2018.*