IN THE WORKERS' COMPENSATION COURT OF THE STATE OF MONTANA

2001 MTWCC 26

WCC No. 2001-0332

DARRELL CRAWFORD

Petitioner

vs.

STATE COMPENSATION INSURANCE FUND

Respondent/Insurer for

ROCKY BOY SCHOOLS

Employer.

ORDER DENYING EMERGENCY SETTING

Facts: Claimant seeks an emergency setting with respect to his petition for reinstatement of benefits.

Held: Request denied. Claimant's benefits were cut off more than a year ago and he could have been more diligent in petitioning the Court.

Topics:

> **Procedure: Emergency Petition.** Where claimant's benefits were cut off more than a year prior to his petitioning the Court for reinstatement of benefits, the Court will not set a trial on an emergency basis.

¶1 Petitioner's request that his petition be scheduled for trial on an emergency basis is **denied**. The face of the petition shows that his benefits were cut off more than a year ago. He could have obtained an earlier trial setting by being more diligent in prosecuting his claim.

DATED in Helena, Montana, this 29th day of May, 2001.

(SEAL)

/s/ Mike McCarter
JUDGE

c: Mr. Gregory H. Warner
Mr. Greg E. Overturf