

BEFORE THE IOWA WORKERS' COMPENSATION COMMISSIONER

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LAURA ARNOLD,

Claimant,

vs.

UNITED PARCEL SERVICE,

Employer,

and

LIBERTY INSURANCE CORP.,

Insurance Carrier,  
Defendants.

**FILED**

APR 27 2016

WORKERS COMPENSATION

File No. 5051578

ORDER

NUNC PRO TUNC

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On April 26, 2016, the undersigned filed an arbitration decision in this case. That arbitration decision was appropriately filed and sent to counsel of record in the above case. However, the arbitration decision included an incorrect file number. The error was a scrivener's error.

The phrase, "nunc pro tunc" means "now for then." See: Black's Law Dictionary, page 1218 (Revised 4th Edition 1968). The definition in Black's Law Dictionary further provides: "A phrase applied to acts allowed to be done after the time when they should be done, with a retroactive effect, i.e. with the same effect as if regularly done." Black's at 1218. A nunc pro tunc order "is not for the purpose of correcting judicial thinking, a judicial conclusion, or a mistake of law." Headley v. Headley, 172 N.W.2d 104, 108 (Iowa 1969). The nunc pro tunc order can be employed to correct obvious errors or to make an order conform to the judge's original intent. Graber v. District Court for Washington City, 410 N.W.2d 224, 229 (Iowa 1987). Brinson v. Spee Dee Delivery Service, No. 8-754/06-2074 (Iowa App. 11/13/2008) (Iowa App., 2008).

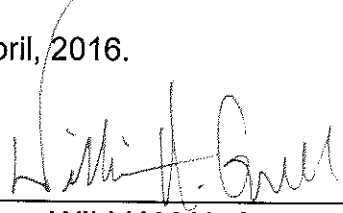
It is appropriate to correct my scrivener's error to avoid any confusion.

THEREFORE, IT IS ORDERED:

The arbitration decision is corrected by deleting the incorrect file number and inserting the proper file number.

The caption of the arbitration decision should appear as reflected in this Nunc Pro Tunc Order with agency file number 5051578.

Signed and filed this 27th day of April, 2016.

  
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WILLIAM H. GRELL  
DEPUTY WORKERS'  
COMPENSATION COMMISSIONER

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