

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

LEROY NOAH, Appellant,) No. ED94029
)
vs.) Appeal from the Labor and Industrial
) Relations Commission
LINDBERGH INVESTMENT, LLC and)
DIVISION OF EMPLOYMENT SECURITY,)
Respondents.) Filed: September 7, 2010

OPINION SUMMARY

Leroy Noah (Claimant) appeals from the decision of the Labor and Industrial Relations Commission (Commission) finding him ineligible for unemployment compensation benefits because he voluntarily left his employment without good cause attributable to his work or his employer.

REVERSED and REMANDED

Division Five Holds: (1) The Commission erred in finding that Claimant left work voluntarily because the record is clear that Claimant's employer decided to terminate the employment relationship; but (2) Claimant is nevertheless disqualified from receiving unemployment compensation benefits because Employer discharged Claimant for misconduct related to his work in that Claimant willfully disregarded his Employer's directives by failing to report to work for two of his shifts and failing to meet with his general manager as instructed.

Opinion by: Patricia L. Cohen, J. Gary M. Gaertner, Jr., P.J., and Mary K. Hoff, J., concur.

Attorney for Appellant: Martin L. Perron

Attorney for Respondent: Lindbergh Investment, LLC (pro se)
Jeannie D. Mitchell (Division of Employment Security)

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.