

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**JOSEPH PHARES,  
APPELLANT  
vs.**

**DIVISION OF EMPLOYMENT SECURITY,  
RESPONDENT**

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DOCKET NUMBER WD72499

DATE: MARCH 8, 2011

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Appeal from:

The Labor and Industrial Relations Commission

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Appellate Judges:

Division Two: Karen King Mitchell, P.J., Joseph M. Ellis and Victor C. Howard, JJ.

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Attorneys:

Joseph Phares, Appellant Pro-se

Shelly A. Kintzel, for Respondent

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**MISSOURI APPELLATE COURT OPINION SUMMARY**

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**JOSEPH PHARES, APPELLANT**

**v.**

**DIVISION OF EMPLOYMENT SECURITY, RESPONDENT**

WD72499

Labor and Industrial Relations Commission

Before Division Two: Karen King Mitchell, P.J., Joseph M. Ellis and Victor C. Howard, JJ.

Joseph Phares filed a claim for unemployment benefits after he left his job working as an office manager for a dentist. Phares first claimed that he left his job in order to start a new business, and a deputy for the Division of Employment Security denied his claim. Phares filed an appeal and testified before the Appeals Tribunal that he left his job because he needed to care for his elderly parents. The Appeals Tribunal found that Phares left his employment voluntarily without good cause attributable to his work or his employer. The Commission affirmed and adopted the decision of the Appeals Tribunal. Phares appeals.

**DISMISSED.**

**Division Two holds:**

On appeal to this court, Phares asserts for the first time that he left his employment because he suffers from obsessive compulsive disorder, and the symptoms of the disorder became worse during his employment. However, where Phares raises a new issue on appeal that was not before the Commission, he has failed to preserve that issue for appeal. Furthermore, Phares has not addressed the basis for the Commission's decision and has therefore abandoned the issue of whether he voluntarily left his employment without good cause attributable to work or the employer when he left his job to care for his parents. Thus, where Phares has presented no appealable issue for review, his appeal is dismissed.

**Opinion by: Victor C. Howard, Judge**

Date: March 8, 2011

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