

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

**DEBORAH BEATRICE,
RESPONDENT
vs.**

**CURATORS OF THE UNIVERSITY OF MISSOURI,
APPELLANT**

DOCKET NUMBER WD76807

DATE: AUGUST 5, 2014

Appeal from:

The Labor and Industrial Relations Commission

Appellate Judges:

Division Two: Victor C. Howard, Presiding Judge, James E. Welsh, Judge and Anthony Rex Gabbert, Judge

Attorneys:

William D. Rotts, for Respondent

Richard L. Montgomery, Jr., for Appellant

MISSOURI APPELLATE COURT OPINION SUMMARY

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DEBORAH BEATRICE, RESPONDENT

v.

CURATORS OF THE UNIVERSITY OF MISSOURI, APPELLANT

WD76807

Labor and Industrial Relations

Before Division Two: Victor C. Howard, Presiding Judge, James E. Welsh, Judge and Anthony Rex Gabbert, Judge

Curators of the University of Missouri (Employer) appeal the Labor and Industrial Relations Commission's award of worker's compensation benefits to Deborah Beatrice. It claims that the award was not supported by competent and substantial evidence and is against the overwhelming weight of the evidence. The award is affirmed.

AFFIRMED.

Division Two holds:

Two medical theories were presented in this case regarding whether Ms. Beatrice suffered a compensable injury, whether the work accident was the prevailing factor in causing the injury, and whether surgical treatment was reasonable and necessary to cure and relieve from the effects of the work accident. The Commission chose to believe one doctor over other doctors, expressly finding his opinions credible and giving his opinions more weight. The standard of review mandates deference to the Commission's choice, and the doctor's opinions constituted sufficient and competent evidence to support the award.

Opinion by: Victor C. Howard, Judge

Date: August 5, 2014

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