OPINION SUMMARY
MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

JOHN D. MATTHEWS,	)	No. ED109168
	)	
Appellant,	)	Appeal from the Labor and
	)	Industrial Relations Commission
vs.	)	
	)	
TREASURER OF MISSOURI AS	)	
CUSTODIAN OF THE SECOND	)	
INJURY FUND,	)	
	)	
Respondent.	)	FILED: April 6, 2021

Lisa Matthews ("Appellant") appeals from the Missouri Department of Labor and Industrial Relations Commission's ("Commission") dismissal of her motion for substitution of parties in which she sought to receive permanent total disability benefits as the surviving dependent of her late husband ("Employee") pursuant to *Schoemehl v. Treasurer of Missouri*, 217 S.W.3d 900 (Mo. banc 2007).

AFFIRMED.

DIVISION FOUR HOLDS: Because the final award relating to Employee's claim did not establish as a matter of law that Appellant was his dependent at the time of his injury, the Commission lacked jurisdiction to grant the relief sought and properly dismissed her motion to substitute parties.

Opinion by: Michael E. Gardner, J.
Gary M. Gaertner, Jr., P.J., and Philip M. Hess, J., concur.

Attorney for Appellant: Evan J. Beatty

Attorney for Respondent: Cara L. Harris

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.