

**OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

STACEY L. BLACKSHEAR,	)	No. ED100251
	)	
Claimant/Respondent,	)	Appeal from the Labor and Industrial
	)	Relations Commission
v.	)	
	)	
ADECCO,	)	
	)	
Employer/Respondent,	)	Filed: February 18, 2014
	)	
and	)	
	)	
AMERICAN HOME ASSURANCE	)	
COMPANY c/o BROADSPIRE	)	
SERVICES, INC.,	)	
	)	
Respondent,	)	
	)	
and	)	
	)	
TREASURER OF THE STATE OF	)	
MISSOURI, Custodian of the Second	)	
Injury Fund,	)	
	)	
Appellant.	)	

The Second Injury Fund (SIF) appeals from the Labor and Industrial Relations Commission’s (Commission) decision awarding Stacey L. Blackshear (Claimant) permanent and total disability benefits from the SIF. On appeal, the SIF argues the Commission erred in awarding benefits to Claimant from the SIF because the Commission did not first determine whether the primary injury considered alone resulted in a permanent total disability, in that the uncontradicted and unimpeached evidence proved Claimant’s work accident rendered her permanently and totally disabled.

**AFFIRMED.**

Division Two Holds: The Commission properly determined Claimant’s disability from the last injury alone and employer’s compensation liability therefrom before assessing whether the SIF had any liability. Conflicting evidence was presented with respect to the causes of Claimant’s permanent total disability and the Commission’s determination that her disability was due to a combination of her pre-existing psychiatric disability and the effects of the primary injury was supported by sufficient competent evidence in the record.

Opinion by: Sherri B. Sullivan, J. Lawrence E. Mooney, P.J., and Robert G. Dowd, Jr., J., concur.

Attorneys for Appellant SIF: Barbara L. Toepke

Attorney for Respondents Adecco and American Home Assurance Co.: Rachel R. Brown

Attorney for Respondent Stacey L. Blackshear: Dean L. Christianson

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