

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

DIVISION TWO

TIMOTHY SCHWEITZER,	)	No. ED96337
	)	
Appellant,	)	
	)	Appeal from the Labor and Industrial
	)	Relations Commission
	)	Cause No. 10-28542 R-A
SINAK PLUMBING and DIVISION OF	)	
EMPLOYMENT SECURITY,	)	
	)	
Respondents.	)	
	)	Filed: November 8, 2011

Appellant Timothy Schweitzer appeals the decision of the Commission denying unemployment compensation.

AFFIRMED.

DIVISION TWO HOLDS: The Commission did not err in reversing the decision of the Appeals Tribunal which granted Schweitzer unemployment benefits. The facts found by the Commission—that Schweitzer resigned to access 401k funds—were supported in the record, and do not constitute good cause for resignation. Because Schweitzer resigned without good cause, he was not entitled to unemployment compensation.

Opinion by: Kenneth M. Romines, J.  
Kathianne Knaup Crane, P.J. and Lawrence E. Mooney, concur.

Attorneys for Appellant: Leah Wilson (Rule 13) and John J. Ammann

Attorneys for Respondent D.E.S.: Larry R. Ruhmann

**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.**