

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DAVID PURSLEY, Appellant,) No. ED96496
)
vs.)
)
CHRISTIAN HOSPITAL NORTHEAST/)
NORTHWEST, Employer,)
) Appeal from the Labor and Industrial
and) Relations Commission
)
TREASURER OF MISSOURI AS)
CUSTODIAN OF SECOND INJURY FUND,)
Respondent.) Filed: December 13, 2011

David Pursley (Claimant) appeals the final award of the Labor and Industrial Relations Commission (Commission) denying his claim against the Second Injury Fund (Fund) for permanent total disability (PTD) benefits. Claimant contends the Commission's finding that Claimant's PTD was the result of hepatitis C alone was contrary to the overwhelming weight of the evidence.

AFFIRMED.

Division Four Holds: Claimant's testimony, in addition to Claimant's medical records and the report and testimony of Dr. Bruce Bacon, Claimant's treating physician, constitute competent and substantial evidence supporting the Commission's determination that Claimant's hepatitis C alone rendered Claimant permanently and totally disabled.

Opinion by: Patricia L. Cohen, Judge
Kurt S. Odenwald, C.J., and Robert M. Clayton III, J., concur.

Attorney for Appellant: Stephen C. Banton

Attorney for Respondent: Carol L. Barnard

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.