

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

**DIVISION TWO**

JOSEPH DUEVER,	)	No. ED97596
	)	
Respondent,	)	Appeal from the Labor and
	)	Industrial Relations Commission
v.	)	Cause No. 07-134607
	)	
ALL OUTDOORS, INC.,	)	
	)	
Appellant,	)	
	)	
and	)	
	)	
TREASURER OF MISSOURI AS	)	
CUSTODIAN OF THE SECOND INJURY	)	
FUND,	)	
	)	
Respondent.	)	Filed: May 15, 2012

Appellant All Outdoors, Inc. (“Employer”) appeals the judgment of the Labor and Industrial Relations Commission awarding worker’s compensation benefits to Respondent Joseph Duever (“Duever”).

AFFIRMED.

**DIVISION TWO HOLDS:** First, the Commission’s decision that an accident in fact occurred was supported in the record by Duever’s credible testimony as well as the medical evidence. Second, the Commission did not err in finding that Duever’s injury arose out of and in the course of his employment because the accident occurred while he was in an unsafe area because of his employment, and as the result of an unsafe condition. Finally, the abrogation of the extended premises doctrine is not applicable to the present case.

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

Attorneys for Appellant: John P. Kafoury & Michelle E. Radice

Attorneys for Respondents: Robert D. Arb & Da-Neil Cunningham

<p><b>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.</b></p>
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