

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

EARLEAN LOMBARDO,	) No. ED98967
	)
Employee/Appellant,	) Appeal from the Labor and
	) Industrial Relations Commission
v.	)
	)
BRANDT INVESTMENTS, LLC,	)
	)
Employer/Respondent,	)
	)
and	)
	)
DIVISION OF EMPLOYMENT	)
SECURITY,	)
	)
Respondent/Respondent.	) Filed: June 18, 2013

Earlean Lombardo (Employee) appeals from the decision of the Labor and Industrial Relations Commission (the Commission) denying her unemployment benefits.

AFFIRMED.

Division One Holds: Brandt Investments, LLC carried its burden of showing by a preponderance of the evidence that Employee was discharged for misconduct, which Employee failed to rebut, such that the Commission’s decision in denying her benefits based on such discharge was supported by substantial and competent evidence.

Opinion by: Sherri B. Sullivan, J. Clifford H. Ahrens, P.J., and Glenn A. Norton, J., concur.

Attorney for Appellant: Alan P. Walters

Attorney for Respondent Brandt Investments, LLC: Charles B. Jellinek

Attorney for Respondent Division of Employment Security: Ninion S. Riley

<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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