

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

SHARON SNYDER,

Appellant,

v.

**CONSOLIDATED LIBRARY DISTRICT NO. 3 AND GUARANTEE INSURANCE
COMPANY,**

Respondent.

DOCKET NUMBER WD70641

Date: February 9, 2010

Appeal from:
Labor and Industrial Relations Commission

Appellate Judges:
Division One: Lisa White Hardwick, Presiding Judge, James M. Smart, Jr. and Alok Ahuja, Judges

Attorneys:
Patrick B. Starke, Esq., Blue Springs, MO, for appellant.
Thomas V. Clinkenbeard, Esq., Respondent, for respondent.

MISSOURI APPELLATE COURT OPINION SUMMARY
COURT OF APPEALS -- WESTERN DISTRICT

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Labor and Industrial Relations Commission

Before Division One Judges: Lisa White Hardwick, Presiding Judge,
James M. Smart, Jr. and Alok Ahuja, Judges

On appeal from the denial of her workers' compensation claim, Sharon Snyder contends the Labor and Industrial Relations Commission exceeded its authority in reversing a benefit award granted by the Administrative Law Judge (ALJ) because the Commission did not hear additional evidence and substituted its own credibility determinations for those of the ALJ.

AFFIRMED.

Division One holds: The Commission had authority, under Section 287.480.1, RSMO 2000, to either review the evidence heard by the ALJ or conduct its own hearing prior to making an award. The Commission fully explained why it made credibility determinations different from those of the ALJ and, thus,

properly exercised its discretion in deciding not to conduct an additional hearing.

The final award is affirmed.

Opinion by: Lisa White Hardwick, Judge

February 9, 2010

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