

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

ALECIA SMITH,

Appellant

v.

FASHION POLICE, LLC AND
DIVISION OF EMPLOYMENT SECURITY.

Respondents

DOCKET NUMBER WD73700

DATE: December 6, 2011

Appeal From:

Labor and Industrial Relations Commission

Appellate Judges:

Division One

Alok Ahuja, P.J., Thomas H. Newton, and James Edward Welsh, JJ.

Attorneys:

Charles Baldwin, Liberty, MO

Counsel for Appellant

Attorneys:

Katharine Shepherd-Porter, Liberty, MO

Counsel for Respondent, Fashion Police

Robert Bedell, Jefferson City, MO

Counsel for Respondent, Div. of Employment

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**ALECIA SMITH, Appellant, v.
FASHION POLICE, LLC AND DIVISION OF
EMPLOYMENT SECURITY, Respondents**

WD73700

Labor and Industrial Relations

Before Division One Judges: Ahuja, P.J., Newton, and Welsh, JJ.

Alecia Smith appeals the Labor and Industrial Relations Commission’s finding that she voluntarily terminated her employment with Fashion Police, LLC, thereby disqualifying her from unemployment benefits. Smith contends that the Commission’s decision was procured by fraudulent testimony and, therefore, not supported by competent and substantial evidence. We affirm the Commission’s decision.

AFFIRMED.

Division One holds:

The Labor and Industrial Relations Commission did not err in denying Smith unemployment benefits based on a decision procured by fraud, because fraud, as applicable to the facts in Smith’s case, regards matters not examined and determined by the Commission. The evidence Smith alleges to be fraudulent was part of the record reviewed by the Commission and was, therefore, examined by the Commission.

Opinion by James Edward Welsh, Judge

December 6, 2011

* * * * *

THIS SUMMARY IS UNOFFICIAL AND SHOULD NOT BE QUOTED OR CITED.