

IN THE SUPREME OF TENNESSEE

AT NASHVILLE

**FILED**

October 11, 1999

MAURY CHANCERY  
Cecil Crowson, Jr.  
Appellate Court Clerk

JODY MAYNARD FALK

Plaintiff/Appellee

vs.

SATURN CORPORATION

Defendant/Appellant

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MAURY CHANCERY

No. Below 96-172

Hon. William B. Cain

No. 01S01-9805-CH-00105

AFFIRMED

JUDGMENT ORDER

*This case is before the Court upon the entire record, including the order of referral to the Special Workers' Compensation Appeals Panel, and the Panel's Memorandum Opinion setting forth its findings of fact and conclusions of law, which are incorporated herein by reference.*

*Whereupon, it appears to the Court that the Memorandum Opinion of the Panel should be accepted and approved; and*

*It is, therefore, ordered that the Panel's findings of fact and conclusions of law are adopted and affirmed, and the decision of the Panel is made the judgment of the Court.*

*Costs will be paid by defendant/appellant, for which execution may issue if necessary.*

*IT IS SO ORDERED on October 11, 1999.*

PER CURIAM

IN THE SUPREME COURT OF TENNESSEE  
SPECIAL WORKERS' COMPENSATION APPEALS PANEL

AT NASHVILLE

(MARCH 31, 1999 Session)

JODY MAYNARD FALK, ) MAURY CHANCERY  
)  
Plaintiff-Appellee, ) Hon. William B. Cain,  
) Judge.  
)  
) No. 01-S-01-9805-CH-00105  
)  
VS. )  
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)  
SATURN CORPORATION, )  
)  
Defendant-Appellant. )

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MEMORANDUM OPINION

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Members of Panel:

Frank F. Drowota, III, Associate Justice  
Thomas W. Brothers, Special Judge  
Joe C. Loser, Jr., Special Judge

AFFIRMED

Broth  
ers,  
Judge

## MEMORANDUM OPINION

This workers' compensation appeal has been referred to the Special Workers' Compensation Appeals Panel in accordance with Tenn.Code Ann. §50-6-225(e)(3) for hearing and reporting of findings of fact and conclusions of law. Appellant's appeal raised two issues. The first issue was whether the evidence preponderates against the trial court's finding that the plaintiff sustained a work related injury. The second issue is whether the evidence preponderates against the trial court's finding that plaintiff suffered a fifteen percent permanent partial impairment to the body as a whole. Appellate review is *de novo* upon the record of the trial court, accompanied by a presumption of the correctness of the findings of fact, unless the preponderance of the evidence is otherwise. Tenn.Code Ann. §50-6-225(e)(2). After having considered the briefs submitted by both parties, and the entire record presented for review, this Court finds that the evidence does not preponderate against the trial court's findings on either of the two issues. Therefore, it is the opinion of this Court that the trial court be affirmed. Costs on appeal are taxed to defendant-appellant.

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Thomas W. Brothers, Special  
Judge

CONCUR:

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Frank F. Drowota, III, Associate Justice

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Joe C. Loser, Jr., Special Judge