

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

JOYCE ROGERS,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 02A-02-007-FSS
)	
LEAR CORPORATION,)	
)	
Defendant.)	

Submitted: April 1, 2003
Decided: July 2, 2003

ORDER

Upon Second Appeal from the Industrial Accident Board – AFFIRMED

This is another appeal by Joyce Rogers from an adverse Industrial Accident Board decision on her claims against Lear Corporation. Based on *res judicata* principles, the Board denied Rogers’s most recent petitions.

The Board’s most recent decision was correct. Rogers’s latest claims were subsumed, entirely or in part, by the Board’s earlier decisions.¹ And to the extent that any of Rogers’s latest claims involved periods extending beyond, but overlapping those covered in the Board’s earlier decisions, those claims are merged with Rogers’s earlier claims and the Board’s earlier decisions. At best, Rogers is

¹ *Joyce Lynn Rogers v. Lear Corporation*, 820 A.2d 372 (Del. 2003) *dismissing appeal from* Del. Super. Ct., No. 01A-07-006-FSS, Silverman, J. (April 30, 2002).

impermissibly splitting or fragmenting her claims. Basically, however, she is relitigating her earlier appeal.

For the foregoing reasons, the January 10, 2002 decision of the Industrial Accident Board is *AFFIRMED*, and this appeal is *DISMISSED*. This case is closed.

IT IS SO ORDERED.

Date

Judge

oc: Prothonotary (Civil Division)
pc: Scott R. Mondell, Esquire
Ms. Joyce Rogers