

STATE OF LOUISIANA

COURT OF APPEAL

FIRST CIRCUIT

NO. 2010 CA 2175

ADAM LANDRY

VERSUS

INTERNATIONAL MAINTENANCE CORPORATION

Judgment rendered May 6, 2011.



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On Appeal from the Office of Workers' Compensation
Administration, District 5, Louisiana
Docket No. 01-04169
Honorable Pamela A. Moses-Laramore, Judge Presiding

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ADAM LANDRY
VACHERIE, LA

CHARLES J. DUHE JR.
BATON ROUGE, LA

IN PROPER PERSON
PLAINTIFF-APPELLANT

ATTORNEY FOR
DEFENDANT-APPELLEE
INTERNATIONAL MAINTENANCE
CORPORATION

* * * * *

BEFORE: KUHN, PETTIGREW, AND HIGGINBOTHAM, JJ.

PETTIGREW, J.

In this workers' compensation dispute, the claimant, Adam Landry, alleges that he was injured as a result of his exposure to hydrogen cyanide on April 24, 2001, while working for Turner Industries Group, L.L.C., formerly known as International Maintenance Corporation (hereinafter referred to as "Turner"). Mr. Landry filed a Disputed Claim for Compensation with the Office of Workers' Compensation on June 13, 2001, in which he asserted a claim for indemnity and medical benefits.

A trial on the merits was held on November 23, 2009. After testimony and evidence was presented, the workers' compensation judge ("WCJ") took the matter under advisement. In an oral ruling issued on December 14, 2009, the WCJ held that Mr. Landry did not suffer a disability or require medical treatment as a result of his exposure to gases accidentally released at Turner on April 24, 2001. A written judgment dismissing Mr. Landry's suit with prejudice was later signed on February 3, 2010. Following the dismissal of his suit, Mr. Landry filed the instant appeal.

On appeal, Mr. Landry claims the WCJ erred in finding that any medical complaints he experienced were not related to his exposure to hydrogen cyanide while working for Turner. In response, Turner asserts that Mr. Landry did not carry his burden of proof at trial and establish that his exposure on April 24, 2001 resulted in any disability or need for medical treatment. Turner further asserts because Mr. Landry has not shown his entitlement to any indemnity benefits, medical benefits, penalties, or judicial interest, the judgment of the WCJ should be affirmed.

After a thorough review of the record herein, we find no error in the findings of the WCJ. Thus, we affirm the decision below in accordance with Uniform Rules—Courts of Appeal, Rule 2-16.2(A)(2), (4), (6), and (8) and assess all costs associated with this appeal against the claimant, Adam Landry.

AFFIRMED.