

*Lassiter v. Town of Selma – This is another classic 'Adams Appeal,' as touched on briefly in the blog post below. In Adams, the North Carolina Supreme Court held that as long as there is any evidence in the record to support the Commission's finding of fact, that finding will be upheld on appeal. In other words, if you are appealing a factual issue, you are going to lose. In other words, you are wasting your time and money. In Lassiter, the Commission found that the injured worker contracted Lymes disease while working for his employer. There was evidence that he was bitten by a tick at work, that he developed a bullseye rash at the spot of the bite, and that his doctor diagnosed him with Lymes. That's plenty of competent evidence for the Commission to determine that he contracted the disease through work. *Goodson v. [Affiliated Computer Services](#) – The plaintiff had preexisting post-traumatic stress disorder (PTSD) resulting from domestic violence. As a result of her former boyfriend's physical abuse, she had a prosthetic eye. At a training session 'ice-breaker' the plaintiff attended for work, the trainer commented about her prosthetic eye. The plaintiff claimed that the comment exacerbated her PTSD and rendered her unable to work. The Commission denied the claim, holding that the trainer's comment did not constitute an 'accident.' The COA affirmed the denial. The Court examined previous PTSD and other psychological injury cases that supported the conclusion that there was no accident. Essentially, the comment about the plaintiff's prosthetic eye was not an unusual or unlooked-for event. The real issue here is that the Commission is reluctant to recognize mental injury cases without a substantial aggravating event. This is especially so when there is significant evidence of preexisting psychological issues.