

**STATE OF WEST VIRGINIA  
SUPREME COURT OF APPEALS**

**Anthony Mullins,  
Claimant Below, Petitioner**

**v.)      No. 23-445      (JCN: 2019006343)  
   (ICA No. 23-ICA-55)**

**Allied Waste Services  
of North America,  
Employer Below, Respondent**

**FILED  
August 27, 2024**

C. CASEY FORBES, CLERK  
SUPREME COURT OF APPEALS  
OF WEST VIRGINIA

**MEMORANDUM DECISION**

Petitioner Anthony Mullins appeals the May 22, 2023, memorandum decision of the Intermediate Court of Appeals (“ICA”). *See Mullins v. Allied Waste Servs. of N. Am.*, No. 23-ICA-55, 2023 WL 3581520 (W. Va. Ct. App. May 22, 2023) (memorandum decision). Respondent Allied Waste Services of North America filed a timely response.<sup>1</sup> The issue on appeal is whether the ICA erred in affirming the Board of Review’s order, which affirmed the granting of a 12% permanent partial disability award to Mr. Mullins by the claim administrator.

On appeal, the petitioner argues that the ICA erred in affirming a 12% permanent partial disability award because the claim administrator’s order did not include all of the claimant’s compensable conditions, including the contusions and lacerations on his forehead. The respondent argues that the Board of Review’s decision included no clear error for reversal, and the ICA’s decision should not be disturbed on appeal.

This Court reviews questions of law de novo, while we accord deference to the Board of Review’s findings of fact unless the findings are clearly wrong. *Syl. Pt. 3, Duff v. Kanawha Cnty. Comm’n*, No. 23-43, 2024 WL 1715166 (W. Va. April 22, 2024). Upon consideration of the record and briefs, we find no reversible error and therefore summarily affirm. *See W. Va. R. App. P. 21(c)*.

Affirmed.

**ISSUED: August 27, 2024**

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<sup>1</sup> The petitioner is represented by counsel Kenneth P. Hicks and Jared T. Hicks, and the respondent is represented by counsel Maureen Kowalski.

**CONCURRED IN BY:**

Chief Justice Tim Armstead  
Justice Elizabeth D. Walker  
Justice John A. Hutchison  
Justice William R. Wooton  
Justice C. Haley Bunn