

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

**Andra L. Gajdos,**  
**Claimant Below, Petitioner**

v.) **No. 23-720** (JCN: 2017029442)  
(ICA No. 23-ICA-232)

**Appalachian Electronic Instruments, Inc.,**  
**Employer Below, Respondent**

**MEMORANDUM DECISION**

Petitioner Andra L. Gajdos appeals the November 1, 2023, memorandum decision of the Intermediate Court of Appeals of West Virginia (“ICA”). *See Gajdos v. Appalachian Electronic Instruments, Inc.*, No. 23-ICA-232, 2023 WL 7203366 (W. Va. Ct. App. Nov. 1, 2023) (memorandum decision). Respondent Appalachian Electronic Instruments, Inc. filed a response.<sup>1</sup> The issue on appeal is whether the ICA erred in affirming the May 8, 2023, decision of the West Virginia Workers’ Compensation Board of Review, which affirmed the claim administrator’s March 21, 2022, order granting an additional award of 0% permanent partial disability.

The claimant asserts that she should be granted an additional 7% for a total award of 13% permanent partial disability. The employer counters by arguing that the claimant was fully compensated by the award previously granted in the claim of 6% permanent partial disability. The employer further maintains that the claimant points to no erroneous procedure, no arbitrary or capricious conclusions, and no abuse of discretion or jurisdictional error by the tribunals below.

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*, --- W. Va. ---, 905 S.E.2d 528 (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.

---

<sup>1</sup> The claimant is represented by counsel Reginald D. Henry and Lori J. Withrow, and the employer is represented by counsel James W. Heslep.

**ISSUED: October 30, 2024**

**CONCURRED IN BY:**

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