

STATE OF WEST VIRGINIA
SUPREME COURT OF APPEALS

Sharon Smith,
Claimant Below, Petitioner

v.) No. 25-106 (JCN: 2024003198)
(ICA No. 24-ICA-238)

Constellium US Holding I, LLC,
Employer Below, Respondent

MEMORANDUM DECISION

Petitioner Sharon Smith appeals the December 6, 2024, memorandum decision of the Intermediate Court of Appeals (“ICA”). *See Smith v. Constellium US Holding I, LLC*, No. 24-ICA-238, 2024 WL 5010606 (W. Va. Ct. App. Dec. 6, 2024) (memorandum decision). Respondent Constellium US Holding I, LLC, filed a timely response.¹ The issue on appeal is whether the ICA erred in affirming the May 17, 2024, order by the Workers’ Compensation Board of Review, which affirmed the claim administrator’s order dated October 27, 2023, rejecting the claim.

On appeal, the claimant argues that the ICA was clearly wrong in affirming the Board of Review’s decision because the evidence provides that she sustained a complex meniscal tear of the medial collateral ligament of the left knee on August 10, 2023, in the course of and resulting from her employment. The claimant testified that her pain began while she was performing cleaning services in the restroom and breakroom, and increased while cleaning offices and the conference room. The claimant asserts that she was conducting standard occupational duties at the time of her injury, and she was functioning at a full-duty work level, without symptoms or limitations. As such, the claimant argues that her complex posterior meniscal tear must be presumed to be the result of her described work injury and acknowledged as a discrete new injury. The employer counters by arguing that the rejection of the claim was proper in light of the governing statutes and relevant evidence. Prior to her employment with the employer, the claimant had been diagnosed with generalized arthritis in her hands, knees, and ankles. She was not carrying any items at the time of her injury, and she was not pushing or pulling anything. The employer contends that the claimant’s knee popped as she was simply walking through a hallway from one location to another. As such, the claimant did not suffer a compensable occupational injury within the framework of West Virginia workers’ compensation laws.

¹ The petitioner is represented by counsel J. Thomas Greene, Jr, and T. Colin Greene, and Constellium US Holding I, LLC, is represented by counsel James W. Heslep.

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*, 250 W. Va. 510, 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.

ISSUED: July 28, 2025

CONCURRED IN BY:

Chief Justice William R. Wooton
Justice Tim Armstead
Justice C. Haley Bunn
Justice Charles S. Trump IV