

STATE OF WEST VIRGINIA
SUPREME COURT OF APPEALS

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

Matthew Price,
Claimant Below, Petitioner

v.) No. 25-418 (JCN: 2023017193)
(ICA No. 24-ICA-411)

Raleigh County Commission,
Employer Below, Respondent

MEMORANDUM DECISION

Petitioner Matthew Price appeals the April 29, 2025, memorandum decision of the Intermediate Court of Appeals (“ICA”). *See Price v. Raleigh Cnty. Comm’n*, No. 24-ICA-411, 2025 WL 1249416 (W. Va. Ct. App. Apr. 29, 2025) (memorandum decision). Respondent Raleigh County Commission filed a timely response.¹ The issue on appeal is whether the ICA erred in affirming the September 16, 2024, order of the Workers’ Compensation Board of Review, which affirmed the claim administrator’s order dated June 20, 2023, denying the request to add spinal stenosis in the cervical region as a compensable condition.

On appeal, the claimant argues that the ICA and Board of Review were clearly wrong in finding that spinal stenosis did not occur in the course of and resulting from the compensable injury. The claimant contends that a preponderance of the evidence establishes that cervical stenosis should have been added as being compensable in the claim under the controlling case precedent of *Moore v. ICG Tygart Valley, LLC*, 247 W. Va. 292, 879 S.E.2d 779 (2022). Although the Board of Review discussed *Moore*, the claimant argues that the Board of Review failed to analyze the evidence in a meaningful way and merely concluded that there was no causal connection to the compensable injury. The claimant believes that the evidence of record meets the presumption contemplated by *Moore*, and he argues that the ICA was clearly wrong in affirming the Board of Review’s decision. The employer counters by arguing that the ICA’s decision was issued in accordance with the evidence of record and the applicable law. As such, the employer asserts that the ICA’s memorandum decision should be affirmed because no error occurred in the underlying decision.

¹ The petitioner is represented by counsel Reginald D. Henry and Lori J. Withrow, and the respondent 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: October 21, 2025

CONCURRED IN BY:

Chief Justice William R. Wooton

Justice C. Haley Bunn

Justice Charles S. Trump IV

Justice Thomas H. Ewing

Senior Status Justice John A. Hutchison is disqualified.