

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

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

Karen Walker,
Claimant Below, Petitioner

v.) No. 25-503 (JCN: 2021000769)
(ICA No. 24-ICA-419)

Goodwill Industries of Kanawha Valley, Inc.
Employer Below, Respondent

MEMORANDUM DECISION

Petitioner Karen Walker appeals the June 6, 2025, memorandum decision of the Intermediate Court of Appeals (“ICA”). *See Walker v. Goodwill Indus. of Kanawha Valley, Inc.*, No. 24-ICA-419, 2025 WL 1604599 (W. Va. Ct. App. Jun. 6, 2025) (memorandum decision). Respondent Goodwill Industries of Kanawha Valley, Inc. filed a timely response.¹ The issue on appeal is whether the ICA erred in affirming the September 24, 2024, order of the Workers’ Compensation Board of Review affirming the June 7, 2023, claim administrator’s order denying the petitioner’s request to include chronic regional pain syndrome (“CRPS”), lumbar radiculopathy, swelling of the lower leg, and post-traumatic stress syndrome (“PTSD”) as compensable components in the claim.

On appeal, the petitioner argues that the ICA and Board of Review failed to properly weigh the medical evidence and find that the medical condition of CRPS is a result of the work-related injury. The petitioner contends that the condition should have been added because Frederic Pollock, M.D., opined that CRPS was a possible diagnosis based upon the petitioner’s reported degree of pain and dysfunction following the injury. The petitioner further argues that both Nicholas Raubitschek, M.D., and Rudy Malayil, M.D., indicated that she has lumbar radiculopathy, and their opinions have not been rebutted. Finally, the petitioner submits that the evidence establishes that her PTSD is a direct result of her compensable injury, which has altered her activities of daily living and her mental state. As such, the petitioner argues that the ICA failed to consider her medical evidence, along with the statutory provisions, in denying the addition of CRPS, lumbar radiculopathy, PTSD, and swelling of the lower leg to the claim as compensable conditions. The respondent counters by arguing that no physician provided a basis for a diagnosis of CRPS, and EMG/nerve conduction studies do not support a diagnosis of lumbar radiculopathy. The respondent asserts that the petitioner’s physicians have summarily diagnosed conditions

¹ The petitioner is represented by counsel Patrick K. Maroney, and the respondent is represented by counsel Steven K. Wellman and James W. Heslep.

without providing any objective support or explanation for them. As a result, the respondent argues that the Board of Review and ICA correctly affirmed the denial of each diagnosis at issue.

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: November 25, 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