**UTAH LABOR COMMISSION**

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| **LESLIE K. HANDFORD,**<br><br>**Petitioner,**<br><br>**vs.**<br><br>**UTAH STATE UNIVERSITY and WORKERS COMPENSATION FUND,**<br><br>**Respondents.** | **ORDER AFFIRMING ALJ'S DECISION**<br><br>**Case No. 08-0766** |

Leslie K. Handford asks the Utah Labor Commission to review Administrative Law Judge Marlowe's denial of Ms. Handford's claim for benefits under the Utah Workers' Compensation Act, Title 34A, Chapter 2, Utah Code Annotated.

The Labor Commission exercises jurisdiction over this motion for review pursuant to § 63G-4-301 of the Utah Administrative Procedures Act and § 34A-2-801(3) of the Utah Workers Compensation Act.

## BACKGROUND AND ISSUE PRESENTED

Ms. Handford claimed permanent total compensation for a left-knee injury sustained while working for Utah State University on October 17, 2000. After conducting an evidentiary hearing, Judge Marlow determined that Ms. Handford had not proved she was unable to perform other work reasonably available. On that basis, Judge Marlowe denied Ms. Handford's claim.

On November 30, 2009, Ms. Handford's attorney filed a motion for review asserting that Judge Marlowe's order was "contrary to the facts in evidence and the applicable law thereto" and representing that a supporting memorandum would be filed within 10 days. However, no such memorandum has been filed.

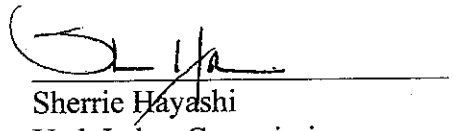
## DISCUSSION AND CONCLUSION OF LAW

Pursuant to § 63-46B-12(1)(b)(ii) of UAPA, it is Ms. Handford's obligation to state the grounds on which she seeks review of Judge Marlowe's Order. Furthermore, it is generally inappropriate for the Commission to address issues that the parties have not themselves raised. Hilton Hotel v. Industrial Commission, 897 P.2d 352, (Utah App. 1995). While Ms. Handford's motion for review contains broad conclusionary assertions that Judge Marlowe's decision is contrary to the evidence and law, the motion for review has failed to identify any specific questions of fact or issues of law for Commission review. The Commission therefore affirms Judge Marlowe's decision.

## ORDER

The Commission affirms Judge Marlowe's decision and denies Ms. Handford's motion for review. It is so ordered.

Dated this 13th day of January, 2010.



Sherrie Hayashi
Utah Labor Commissioner

## NOTICE OF APPEAL RIGHTS

Any party may ask the Labor Commission to reconsider this Order. Any such request for reconsideration must be received by the Labor Commission within 20 days of the date of this order. Alternatively, any party may appeal this order to the Utah Court of Appeals by filing a petition for review with the court. Any such petition for review must be received by the court within 30 days of the date of this order.