

TENNESSEE COURT OF WORKERS' COMPENSATION CLAIMS

**Luis Aguilar v. Luz Dariela Hernandez Maldnaldo d/b/a Brandon's
Construction**

Aguilar, 2026 TN WC 91 (Tennessee Court of Workers' Compensation Claims 2026) · No. 2025-30-4388 ·

Decided June 24, 2026

OPINION

AGUILAR, LUIS v. LUZ DARIELA HERNANDEZ MALDNALDO d/b/a BRANDON'S
CONSTRUCTION

2026 TN WC 91

PER CURIAM.

FILED

Jun 24, 2026

02:53 PM(ET)

TENNESSEE COURT OF

WORKERS' COMPENSATION

CLAIMS

TENNESSEE BUREAU OF WORKERS' COMPENSATION

IN THE COURT OF WORKERS' COMPENSATION CLAIMS

AT KNOXVILLE

LUIS AGUILAR, Docket No. 2025-30-4388 Employee, v. LUZ DARIELA HERNANDEZ State
File No. 860198-2025

MALDNALDO d/b/a BRANDON'S

CONSTRUCTION,

Employer. Judge Lisa A. Lowe

EXPEDITED HEARING ORDER DENYING BENEFITS

Luis Aguilar allegedly sustained a left-knee injury while working for Brandon Construction. For the reasons below, the Court denies his request for benefits. Claim History Mr. Aguilar filed one petition for benefit determination alleging a November 15, 2024 date of injury, and a second petition alleging a May 8, 2025 date of injury. This case involves Mr. Aguilar's November 15, 2024 injury. At the hearing, Mr. Aguilar testified that he injured his knee on May 13, 2025. He did not provide any testimony or evidence relating to a November 15, 2024 injury. Findings of Fact and Conclusions of Law At an expedited hearing, Mr. Aguilar must show that he is likely to prevail at a hearing on the merits. Tenn. Code Ann. § 50-6-239(d)(1) (2025); McCord v. Advantage Human Resourcing, 2015 TN Wrk. Comp. App. Bd. LEXIS 6, at *7-8, 9 (Mar. 27, 2015). An injury is accidental only if it is caused by a specific incident, or set of 1 incidents,

arising primarily out of and in the course and scope of employment, and identifiable by time and place of occurrence. Tenn. Code Ann. § 50-6-101(12)(A). Here, Mr. Aguilar did not identify a specific incident on November 15, 2024, that resulted in a left-knee injury. In fact, he emphatically testified that he hurt his left knee on May 13, 2025. Therefore, Mr. Aguilar is unlikely to prevail at a hearing on the merits that he is entitled to benefits for a November 15, 2024 injury at this time. IT IS, THEREFORE, ORDERED as follows:

1. The Court denies Mr. Aguilar's request for benefits for injuries from an alleged November 15, 2024 injury.
2. The Court sets a Status/Scheduling Hearing on October 20, 2026, at 9:30 a.m. Eastern Time. The parties must call 855-383-0003 to participate. ENTERED June 24, 2026.

JUDGE LISA A. LOWE

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APPENDIX

Exhibits:

1. Affidavit of Luiz Aguilar, filed April 23, 2026
2. Affidavit of Luiz Aguilar, translated May 26, 2026
3. Request for Investigation
4. Expedited Request for Investigation Report
5. Photographs
6. Canceled Check Stubs

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CERTIFICATE OF SERVICE

I certify that a copy of this order was sent as shown on June 24, 2026. Name Mail Email Service sent to: Luis Aguilar, X X Self-Represented Employee Nick Akins, X nakins@morganakins.com David Goudie, dgoudie@morganakins.com Employer's Attorney

PENNY SHRUM, COURT CLERK

wc.courtclerk@tn.gov 4 Right to Appeal: If you disagree with the Court's Order, you may appeal to the Workers' Compensation Appeals Board. To do so, you must:

1. Complete the enclosed form entitled "Notice of Appeal" and file it with the Clerk of the Court of Workers' Compensation Claims before the expiration of the deadline. If the order being appealed is "expedited" (also called "interlocutory"), or if the order does not dispose of the case in its entirety, the notice of appeal must be filed within seven (7) business days of the date the order was filed. If the order being appealed is a "Compensation Order," or if it resolves all issues in the case, the notice of appeal must be filed within thirty (30) calendar days of the date the Compensation Order was filed. When filing the Notice of Appeal, you must serve a copy on the opposing party (or attorney, if represented).

2. You must pay, via check, money order, or credit card, a \$75.00 filing fee within ten calendar days after filing the Notice of Appeal. Payments can be made in-person at any Bureau office or by U.S. mail, hand-delivery, or other delivery service. In the alternative, you may file an Affidavit of Indigency (form available on the Bureau's website or any Bureau office) seeking a waiver of the filing fee. You must file the fully-completed Affidavit of Indigency within ten calendar days of filing the Notice of Appeal. Failure to timely pay the filing fee or file the Affidavit of Indigency will result in dismissal of your appeal.
3. You are responsible for ensuring a complete record is presented on appeal. If no court reporter was present at the hearing, you may request from the Court Clerk the audio recording of the hearing for a \$25.00 fee. If you choose to submit a transcript as part of your appeal, which the Appeals Board has emphasized is important for a meaningful review of the case, a licensed court reporter must prepare the transcript, and you must file it with the Court Clerk. The Court Clerk will prepare the record for submission to the Appeals Board, and you will receive notice once it has been submitted. For deadlines related to the filing of transcripts, statements of the evidence, and briefs on appeal, see the applicable rules on the Bureau's website at <https://www.tn.gov/wcappealsboard>. (Click the "Read Rules" button.)
4. After the Workers' Compensation Judge approves the record and the Court Clerk transmits it to the Appeals Board, a docketing notice will be sent to the parties. If neither party timely files an appeal with the Appeals Board, the Court Order becomes enforceable. See Tenn. Code Ann. § 50-6-239(d)(3) (expedited/interlocutory orders) and Tenn. Code Ann. § 50-6-239(c)(7) (compensation orders). For self-represented litigants: Help from an Ombudsman is available at 800-332-2667.