

TENNESSEE COURT OF WORKERS' COMPENSATION CLAIMS

Hicks, Clifford Montrell v. Fullen Dock and Warehouse

Hicks, 2026 TN WC 49 (Tennessee Court of Workers' Compensation Claims 2026) · No. 2023-08-7416 ·
Decided April 27, 2026

SUMMARY

The Tennessee Court of Workers' Compensation Claims granted Fullen Dock and Warehouse's motion for summary judgment in Clifford Montrell Hicks's workers' compensation claim. The court held that Hicks failed to present expert medical evidence establishing that his employment primarily caused his alleged neck, shoulder, and back injuries. The claim was dismissed with prejudice, subject to appeal within 30 days.

CASE DETAILS

COURT	Tennessee Court of Workers' Compensation Claims
WRITING FOR THE COURT	Shaterra R. Marion
JURISDICTION	Tennessee Court of Workers' Compensation Claims
DECIDED	April 27, 2026
DOCKET	2023-08-7416
DISPOSITION	other
PROCEDURAL POSTURE	Employer Fullen Dock and Warehouse moved for summary judgment in an employee workers' compensation claim. The employee did not respond to the motion or appear at the hearing.
STANDARD OF REVIEW	Summary judgment is appropriate when the pleadings, depositions, answers to interrogatories, admissions, and affidavits show no genuine issue of material fact and the moving party is entitled to judgment as a matter of law. The moving party may meet its burden by submitting affirmative evidence negating an essential element or demonstrating that the nonmoving party's evidence is insufficient to establish that element.
PRECEDENTIAL VALUE	Published

TOPICS

- workers compensation
- summary judgment
- employment law
- civil procedure

PRACTICE AREAS

workers' compensation

employment law

civil procedure

QUESTIONS PRESENTED

1. Whether Fullen Dock was entitled to summary judgment because Hicks could not present evidence establishing medical causation.
2. Whether the un rebutted record, including Dr. Pokabla's testimony and Hicks's failure to offer contrary medical evidence, left no genuine issue of material fact regarding whether the injury arose primarily out of and in the course and scope of employment.

HOLDINGS

1. Fullen Dock was entitled to summary judgment because it negated the essential element of medical causation and demonstrated that Hicks could not prove that his injury arose primarily out of and in the course and scope of employment.

KEY QUOTATIONS

“Summary judgment is appropriate “if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.”” (1-2)

“The essential element at issue in this case comes from Tennessee Code Annotated section 50-6-102(12), which requires expert medical proof that the injury arose primarily out of and in the course and scope of employment.” (2)

FACTUAL BACKGROUND

Hicks alleged that he sustained work-related injuries to his neck, shoulders, and back on June 21, 2022. Dr. Christopher Pokabla was the only physician to offer causation testimony and concluded that Hicks's employment did not contribute more than 50 percent to his current condition. Hicks offered no contrary medical evidence, did not respond to Fullen Dock's statement of undisputed material facts, and did not appear at the summary-judgment hearing.

PROCEDURAL HISTORY

Hicks alleged work-related injuries to his neck, shoulders, and back arising from a June 21, 2022 workplace injury. Following an expedited hearing, the court denied his request for benefits and entered a scheduling order. Fullen Dock then moved for summary judgment, arguing that Hicks lacked evidence of medical causation. Hicks did not respond or appear at the motion hearing, and the court granted summary judgment and dismissed the claim with prejudice to refileing.

DISPOSITION

other

CASES CITED

- Rye v. Women's Care Ctr. of Memphis, M PLLC, 477 S.W.3d 235, 264-65 (Tenn. 2015)
- Hutchins v. Cardinal Glass Indus., No. E2023-00587-SC-R3-WC, 2024 Tenn. LEXIS 3, at *11 (Tenn. Workers' Comp. Panel Jan. 11, 2024)

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