

SUPREME COURT OF ALASKA

Robertson v. American Mechanical, Inc.

54 P.3d 777 (Alaska 2002) · No. S-10048 · Decided July 19, 2002

SUMMARY

The Supreme Court of Alaska affirmed the superior court’s decision upholding the Alaska Workers’ Compensation Board’s dismissal of John Robertson’s amended occupational-injury claim. The court held that the amended claim was barred by res judicata under the rule against claim splitting because it arose from the same injury and core set of facts as Robertson’s previously litigated claim. The court therefore did not reach the alternative grounds of untimeliness, laches, equitable estoppel, or quasi-estoppel.

CASE DETAILS

COURT	Supreme Court of Alaska
WRITING FOR THE COURT	Matthews, Justice; Fabe, Chief Justice; Eastaugh, Justice; Bryner, Justice; Carpeneti, Justice
JURISDICTION	Alaska
DECIDED	July 19, 2002
DOCKET	S-10048
DISPOSITION	affirmed
PROCEDURAL POSTURE	Robertson appealed the Alaska Workers' Compensation Board's dismissal of his amended report of occupational injury and denial of reconsideration and rehearing. The superior court, acting as an intermediate appellate court, affirmed the Board's decision, and the Alaska Supreme Court independently reviewed the administrative decision.
STANDARD OF REVIEW	When the superior court serves as an intermediate appellate court reviewing an agency decision, the Alaska Supreme Court independently reviews the merits of the administrative decision. Agency factual findings are reviewed for substantial evidence, credibility determinations are upheld when supported by substantial evidence, and questions of law are reviewed using independent judgment.
PRECEDENTIAL VALUE	published precedential opinion

PARTIES

John Robertson v. American Mechanical, Inc., Alaska National Insurance Company

TOPICS

workers compensation

res judicata

administrative law

appellate procedure

standard of review

PRACTICE AREAS

workers compensation

administrative law

appellate procedure

civil procedure

QUESTIONS PRESENTED

1. Whether res judicata and the rule against claim splitting barred Robertson's amended workers' compensation claim based on the same back injury and core facts as his previously denied claim.
2. Whether the superior court properly affirmed the Board's dismissal of the amended claim.
3. What standards of review apply when the superior court acts as an intermediate appellate court reviewing a Workers' Compensation Board decision.

HOLDINGS

1. The amended claim was barred by res judicata because it involved the same parties, the same injury, and the same core set of facts as Robertson's previously litigated claim, and Robertson could have asserted the alternative injury date in the original proceeding.
2. The superior court's decision affirming the Board's dismissal of Robertson's amended claim was affirmed.
3. The Supreme Court independently reviews the merits of an administrative decision when the superior court acted as an intermediate appellate court; factual findings are reviewed for substantial evidence and legal questions under independent judgment.

KEY QUOTATIONS

"Substantial evidence is "such relevant evidence as a reasonable mind might accept as adequate to support a conclusion."" (54 P.3d at 779)

"The rule against claim splitting provides that "all claims arising out of a single transaction must be brought in a single suit, and those that are not become extinguished by the judgment in the suit in which some of the claims were brought."" (54 P.3d at 780)

"When analyzing claim splitting, "the relevant inquiry is not whether the two claims are grounded in different theories, but whether they arise out of the same transaction or core set of facts."" (54 P.3d at 780)

FACTUAL BACKGROUND

Robertson worked for American Mechanical, Inc. as a house painter and texturer from February 1994 through December 1995. He experienced back problems in September and October 1994, but did not officially report an

occupational injury until June 1996. After the Board denied his original claim based on his failure to prove compensability, he filed an amended claim asserting that the same back injury may have occurred as early as September 1 rather than October 26, 1994.

PROCEDURAL HISTORY

The Workers' Compensation Board denied Robertson's original claim for benefits and later denied his motion to modify that decision. While appealing the modification denial to the superior court, Robertson filed an amended occupational-injury report asserting that the injury may have occurred on an earlier date. The Board dismissed the amended claim as barred by res judicata, collateral estoppel, untimeliness, laches, equitable estoppel, and quasi-estoppel. The superior court affirmed, principally on res judicata grounds, and the Alaska Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Tolbert v. Alascom, Inc., 973 P.2d 603, 606-07 (Alaska 1999)
- Grove v. Alaska Construction & Erectors, 948 P.2d 454, 456 (Alaska 1997)
- Miller v. ITT Arctic Services, 577 P.2d 1044, 1046, 1049 (Alaska 1978)
- Williams v. State, Department of Revenue, 938 P.2d 1065, 1069 (Alaska 1997)
- DeYonge v. NANA/Marriott, 1 P.3d 90, 94 (Alaska 2000)
- Phillip Weidner & Associates, Inc. v. Hibdon, 989 P.2d 727, 730 (Alaska 1999)
- McKean v. Municipality of Anchorage, 783 P.2d 1169, 1171 (Alaska 1989)
- State v. Smith, 720 P.2d 40, 41 (Alaska 1986)
- Tope v. Christianson, 959 P.2d 1240, 1243 (Alaska 1998)
- McDowell v. State, 23 P.3d 1165, 1167 & n. 9 (Alaska 2001)
- Osborne v. Buckman, 993 P.2d 409, 412 (Alaska 1999)

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