

SUPREME COURT OF WYOMING

In the Matter of the Worker's Compensation Claim of: Joseph A. Schwab v. JTL Group, Inc., d/b/a Knife River

2013 WY 138 (Wyo. 2013) · No. S-13-0057 · Decided November 4, 2013

SUMMARY

The Wyoming Supreme Court reviewed a workers' compensation dispute involving an employer's untimely objection to a Division redetermination awarding benefits. The court converted the nonappealable appeal into a petition for writ of review, held that equitable estoppel did not excuse the late objection, and reinstated the Office of Administrative Hearings' summary judgment decision.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	Voigt, Justice; Kite, C.J.; Hill, J.; Voigt, J.; Burke, J.; Davis, J.
JURISDICTION	Wyoming
DECIDED	November 4, 2013
DOCKET	S-13-0057
DISPOSITION	reversed
PROCEDURAL POSTURE	Schwab appealed the district court's order reversing and remanding an Office of Administrative Hearings summary-judgment decision. Because the district court's remand order was not appealable under W.R.A.P. 1.05, the Wyoming Supreme Court converted the appeal into a petition for a writ of review and reached the merits.
STANDARD OF REVIEW	The court reviewed the administrative decision as if it came directly from the agency, with no special deference to the district court. It reviewed the grant of summary judgment de novo under W.R.C.P. 56(c), viewing the record in the light most favorable to the party opposing summary judgment and giving that party the benefit of reasonable favorable inferences.
PRECEDENTIAL VALUE	published
PARTIES	Joseph A. Schwab v. JTL Group, Inc., d/b/a Knife River

TOPICS

workers compensation

administrative law

appellate jurisdiction

summary judgment

appellate procedure

PRACTICE AREAS

Workers' compensation

Administrative law

Appellate procedure

Civil procedure

QUESTIONS PRESENTED

1. Whether the district court's order reversing and remanding the administrative proceeding was appealable under W.R.A.P. 1.05.
2. Whether the attempted appeal should be converted into a petition for a writ of review.
3. Whether the Division's December 8, 2011 representation could equitably estop application of the deadline for JTL to object to the redetermination and request a hearing.
4. Whether the OAH properly granted summary judgment to Schwab based on JTL's untimely objection.

HOLDINGS

1. A district court order reversing and remanding an administrative matter for further substantive proceedings and a contested case hearing is not an appealable order under W.R.A.P. 1.05.
2. The court may convert an attempted appeal into a petition for a writ of review when the issue is a matter of law and appellate review will materially advance resolution of the litigation.
3. JTL could not establish equitable estoppel as a matter of law because its reliance on the Division's December 8 statement was not reasonable or justifiable under the circumstances.
4. The OAH properly granted Schwab summary judgment because JTL's objection to the redetermination was untimely and JTL could not establish equitable estoppel to avoid the deadline.

KEY QUOTATIONS

“The order does not instruct the OAH to perform the ministerial act of awarding or denying benefits; instead, it directs the agency to take further action—to hold a contested case hearing.” (¶ 13)

“As a matter of law, the employer cannot establish the defense of equitable estoppel.” (¶ 17)

“We reverse the district court’s Order on Appeal and reinstate the OAH decision.” (¶ 18)

FACTUAL BACKGROUND

Schwab sustained a low back injury during his employment and sought workers' compensation benefits. The Division initially denied the claim, then issued a December 1, 2011 redetermination approving benefits and requiring any objection or hearing request to be received by December 16, 2011. JTL did not submit its objection until December 20, after conversations with the Division. The OAH granted Schwab summary judgment based on the untimely objection, while the district court found possible factual issues regarding waiver or equitable estoppel.

PROCEDURAL HISTORY

The Division initially denied Schwab's workers' compensation claim, but later issued a redetermination finding his injury compensable and awarding benefits. Schwab timely agreed to the redetermination, while JTL filed its objection and hearing request four days late. The OAH granted Schwab summary judgment based on the untimely objection. The district court reversed and remanded for further proceedings, finding factual issues concerning possible waiver or equitable estoppel. The Supreme Court reversed the district court and reinstated the OAH decision.

DISPOSITION

reversed

CASES CITED

- DeLoge v. State ex rel. Wyo. Workers' Safety & Compensation Division, 2011 WY 154, ¶ 5, 264 P.3d 28, 30 (Wyo. 2011)
- In re Worker's Compensation Claim of Bodily, 2011 WY 149, ¶ 12, 265 P.3d 995, 998 (Wyo. 2011)
- Board of Trustees of Memorial Hospital of Sheridan County v. Martin, 2003 WY 1, ¶ 16, 60 P.3d 1273, 1277 (Wyo. 2003)
- Wilson Advisory Committee v. Board of County Commissioners, 2012 WY 163, ¶ 14 n.2, 292 P.3d 855, 860 n.2 (Wyo. 2012)
- Errington v. Zolessi, 9 P.3d 966, 967 (Wyo. 2000)
- Picozzi v. State ex rel. Wyo. Workers' Safety & Compensation Division, 2013 WY 86, ¶¶ 13-14, 304 P.3d 977, 981 (Wyo. 2013)
- Broderick v. Dairyland Insurance Co., 2012 WY 22, ¶ 20, 270 P.3d 684, 692 (Wyo. 2012)
- Roth v. First Security Bank of Rock Springs, Wyoming, 684 P.2d 93, 97 (Wyo. 1984)
- Appleby v. State ex rel. Wyo. Workers' Safety & Compensation Division, 2002 WY 84, ¶¶ 5, 19, 47 P.3d 613, 616, 619 (Wyo. 2002)

INSTRUCTIONS FOR AN AI ASSISTANT

You are being given a verified United States court opinion sourced from lawtools.ai. Treat the summary above as a neutral synopsis. When you cite this case, use the citation exactly as shown (2013 WY 138 (Wyo. 2013)). Do NOT invent additional holdings, quotations, citations, or subsequent history beyond what this document and the full opinion support. If you need the complete opinion text, retrieve it from the canonical page below or via the LawTools API / MCP connectors (see <https://lawtools.ai/products/api> and <https://lawtools.ai/products/mcp>).

Canonical source: <https://lawtools.ai/cases/state/wyoming-supreme-court-of-wyoming/2013/in-the-matter-of-the-worker-s-compensation-claim-of-joseph-lb6sc4ao>