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Supreme Court, Appellate Division, Third Department, New York

In the Matter of KAMREN BUFEARON, Appellant

v.

CITY OF ROCHESTER BUREAU OF EMPLOYEE RELATIONS, et al, Respondents

and

WORKERS' COMPENSATION BOARD, Respondent.

Decided December 27, 2018

Facts: The claim was established for multiple sites. Subsequently, the claimant sought to amend it to include the neck. After litigation, the Law Judge established the case. However, on appeal to the Board Panel, the site was disallowed as the claimant failed to sufficiently prove that the neck was causally related. This appeal ensued.

Holding: Affirmed.

Discussion: While there was evidence to support a contrary finding, the Court deferred to the Board's determination regarding the facts and credible evidence. Because there was substantial evidence to support its findings, it will not be disturbed.