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COURT OF APPEALS

In the Matter of the Claim of Rosemary RODRIGUEZ, Appellant,
v.
NEW YORK CITY TRANSIT AUTHORITY., Respondents.
and
Workers' Compensation Board, Respondent.

Decided February 19, 2019

Motion for Leave to Appeal: Denied

Discussion: The claimant in Rodriguez appealed a decision of the Appellate Division that affirmed a disallowance of her claim. The claimant was a train conductor who was injured while waiting for a train one hour before her shift started. The Appellate Division noted in part, "at the relevant time, claimant was a commuter using the subways like the general public and, while she was on property owned and operated by the employer, substantial evidence supports the Board's determination that this did not establish a causal connection between her employment and the assault."