

Bolles v. Midwest Sheet Metal Company, Inc.

Case Number

A-14-0830

Call Date

April 15, 2015

Case Time

1:00 PM

Case Audio

[Download Audio](#)

Case Summary

A-14-0830, Stacey Bolles, personal representative of the Estate of Gregory L. Bolles, deceased (Appellant) v. Midwest Sheet Metal Company, Inc.

Workers' Compensation Court, Judge John R. Hoffert

Attorney for Appellant: John C. Fowles (The Fowles Law Office, P.C., L.L.O.) & John F. Vipperman (Anderson, Vipperman & Kovanda (Appellant)

Attorney for Appellee: Darla S. Ideus (Baylor, Evnen, Curtiss, Grimit & Witt, LLP)

Civil Action: Applicability of Res Judicata

Action Taken by Trial Court: The trial court sustained Appellee's motion to dismiss based on the doctrine of res judicata and dismissed Appellant's petition with prejudice.

Assignments of Error on Appeal: The trial court erred in 1) granting Appellee's motion to dismiss and dismissing Appellant's petition; 2) not making a specific finding as to whether privity existed between the plaintiffs in Bolles I and Bolles II; 3) finding that res judicata/claim preclusion was applicable between Bolles I and Bolles II; 4) failing to allow Appellant leave to file an amended petition; and 5) failing to give a reasoned opinion.

Case Location

Lincoln

Panel Text

Inbody, Pirtle and Bishop, Judges
