

IN THE COURT OF APPEALS OF IOWA

No. 6-191 / 95-980

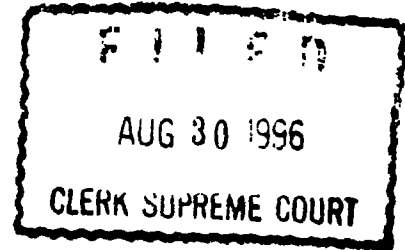
SAM CHAPMAN,

Appellant,

vs.

D & L DOORS and ALLIED MUTUAL INSURANCE,

Appellees.



Appeal from the Iowa District Court for Clay County, Tom Hamilton, Judge.

The petitioner appeals from the district court decision affirming the Industrial Commissioner's denial of his claim for workers' compensation benefits.

AFFIRMED.

James A. Clarity of Clarity Law Firm, Spirit Lake, for appellant.

John D. Ackerman of Heidman, Redmond, Fredregill, Patterson, Schatz & Plaza, L.L.P., Sioux City, for appellees.

Considered by Cady, P.J., and Streit and Vogel, JJ.

PER CURIAM

This is an appeal by an employee claiming the district court should not have affirmed the Industrial Commissioner's decision finding he was not entitled to workers' compensation benefits. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

Sam Chapman is employed by D & L Doors as a sales and service representative. On April 10, 1992, a garage door slipped and hit Chapman on the right side of the neck where it meets the shoulder. On April 12, 1992, Chapman awoke with an excruciating headache and he could not see to the right from either eye. He has been diagnosed as having homonymous hemianopsia, which is a condition in which approximately one-half of the visual field in both eyes is nonfunctional. The condition was caused by a stroke, specifically, an obstruction of cerebral blood vessels in the left side of Chapman's brain.

Chapman filed a claim for workers' compensation benefits, claiming his condition was caused by the blow to his neck. Dr. John Vaubel, an ophthalmologist testified he believed there was a relationship between the injury and Chapman's condition. However, he was unable to explain the medical relationship. Dr. J. D. Bartleson, a neurologist, testified there could be a relationship between the accident and the stroke, but he was unsure of the mechanism of this relationship. Dr. Paul From, testified he did not believe the injury caused a stroke. He stated a blow to the right side of the neck would not cause damage to the left side of the brain.

The Industrial Commissioner denied Chapman's claim for benefits. The commissioner found no physicians had been able to causally connect the incident with the garage door to Chapman's stroke. On judicial review, the district court affirmed the commissioner.

Chapman now appeals. He claims he suffered a work-induced stroke, and therefore, a compensable injury. He states the commissioner erred in finding no causal connection between his disability and the work injury. He points out Dr. Vaubel testified there was a relationship between the injury and his vision loss.

We will reverse the Industrial Commissioner's findings only if, after reviewing the record as a whole, we determine that substantial evidence does not support them. *Gallardo v. Firestone Tire & Rubber Co.*, 482 N.W.2d 393, 395 (Iowa 1992). It is the commissioner's role as finder of fact to determine the weight to be afforded expert testimony. *Terwilliger v. Snap-on Tools Corp.*, 529 N.W.2d 267, 272 (Iowa 1995).

We find there was substantial evidence in the record to support the commissioner's decision. The opinion of Dr. From supports the commissioner's decision. The commissioner did not give the opinion of Dr. Vaubel as much weight because he was unable to explain how the blow to the neck caused the stroke.

We affirm the decision of the district court and the Industrial Commissioner.

AFFIRMED.