

BOISE, FRIDAY, JANUARY 15, 2021, AT 11:10 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

CURTIS STANLEY,)	
)	
Claimant-Appellant,)	
)	Docket No. 47924
v.)	
)	
STATE OF IDAHO INDUSTRIAL)	
SPECIAL INDEMNITY FUND, Surety,)	
)	
Defendant-Respondent.)	
_____)	

Appeal from the Industrial Commission of the State of Idaho.

Curtis, Porter & Adams, PLLC, Idaho Falls, attorney for Appellant.

Lawrence G. Wasden, Idaho Attorney General, Boise, attorney for Respondent.

This is a worker's compensation case. The dispute is whether Curtis Stanley filed a timely complaint against the Industrial Special Indemnity Fund ("ISIF") when Stanley filed the complaint more than five years after his industrial accident and more than one year after receiving his last payment of income benefits. The Idaho Industrial Commission ("Commission") held it did not have continuing jurisdiction to entertain Stanley's complaint against ISIF for non-medical benefits. The Commission found Idaho Code section 72-706 barred Stanley's complaint and dismissed it. Stanley appeals, arguing continuing jurisdiction over medical benefits alone is sufficient to confer jurisdiction over complaints against ISIF and that the Commission erred in determining section 72-706 barred his complaint.