

WEDNESDAY, APRIL 27, 2011  
11:00 A.M.

NO. 3

#25739

VERA MARTIN,  
Appellant,

vs.

AMERICAN COLLOID COMPANY and  
AMERICAN INSURANCE COMPANY,  
Appellee.

Mr. Michael J. Simpson  
Julius & Simpson, LLP  
Attorneys at Law  
PO Box 8025  
Rapid City SD 57709  
Ph: 716-1000

(FOR APPELLANT)

Mr. Daniel E. Ashmore  
Ms. Shiloh M. MacNally  
Gunderson, Palmer, Nelson  
and Ashmore  
Attorneys at Law  
PO Box 8045  
Rapid City SD 57709  
Ph: 342-1078

(FOR APPELLEE)

The Honorable Mark Barnett  
Sixth Judicial Circuit  
Hughes County

(CIV 10-82)

STATEMENT OF ISSUES

**I. SHOULD MARTIN'S WORKERS' COMPENSATION CLAIM  
HAVE BEEN DISMISSED FOR LACK OF JURISDICTION?**

The Department of Labor dismissed Claimant's claim for lack of jurisdiction.

The Circuit Court affirmed the Department of Labor.

*Caldwell v. John Morrell & Co.*, 489 N.W.2d 353 (SD 1992)

*Thomas v. Washington Gaslight, Co.*, 448 U.S. 261 (1980)

*Cardillo v. Liberty Mutual Insurance Co.*, 330 U.S. 469 (1947)

*Dissell v. Trans World Airlines*, 511 A.2d 441 (Me. 1986)

SDCL § 62-1-2

SDCL § 62-1-3

SDCL § 62-3-3

U.S. Const., Art. IV, § 1 (the Full Faith and Credit Clause)