

IN THE COURT OF APPEALS OF IOWA

No. 3-146 / 12-1370
Filed March 13, 2013

DAVID KRAMER,
Petitioner-Appellant,

vs.

TEREX, d/b/a/ KOEHRING CRANES,
and TRAVELERS INSURANCE,
Respondent-Appellees.

Appeal from the Iowa District Court for Polk County, Donna L. Paulsen,
Judge.

David Kramer appeals from the district court's ruling on judicial review affirming the workers' compensation commissioner's review-reopening decision denying him additional worker's compensation benefits. **AFFIRMED.**

Bob Rush of Rush & Nicholson, P.L.C., Cedar Rapids, for appellant.

William D. Scherle and Jay D. Grimes of Hansen, McClintock & Riley, Des Moines, for appellee.

Considered by Vogel, P.J., and Potterfield and Doyle, JJ.

DOYLE, J.

Following a 2001 work injury, David Kramer sought workers' compensation benefits from his employer Koehring Cranes, formerly Terex, and its insurer. In 2005, the deputy workers' compensation commissioner issued his arbitration decision finding Kramer sustained a forty-percent industrial disability, and Kramer was awarded workers' compensation benefits. That decision was affirmed by the workers' compensation commissioner, and all benefits due and owing were paid.

In 2009, Kramer filed his petition for review-reopening pursuant to Iowa Code section 86.14 (2009), to recover additional benefits as a result of his 2001 injury. Following a September 2010 hearing on the petition, the deputy in 2011 issued his decision denying Kramer's petition. The deputy determined Kramer did not meet his burden of proof regarding changing economic circumstances. Kramer appealed the deputy's decision to the commissioner, who affirmed. Kramer then filed a petition for judicial review, and the district court also affirmed.

After a careful review of the record, the briefs of the parties, and the district court's well-reasoned opinion, we conclude the district court's ruling should be affirmed without opinion pursuant to Iowa Rule of Appellate Procedure 6.1203 subsections (a), (c), and (d).

AFFIRMED.