

**Filed 3/13/19 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2019 ND 63

Jose Alfredo Medina Gonzales,

Appellant

v.

Workforce Safety and Insurance,

Appellee

No. 20180365

Appeal from the District Court of Williams County, Northwest Judicial District, the Honorable Paul W. Jacobson, Judge.

AFFIRMED.

Per Curiam.

Stephen D. Little, Bismarck, N.D., for appellant.

Douglas W. Gigler, Special Assistant Attorney General, Fargo, N.D., for appellee.

Gonzales v. WSI

No. 20180365

Per curiam.

[¶1] Jose Gonzales appeals a district court judgment that affirms an Administrative Law Judge’s (“ALJ”) order affirming a Workforce Safety and Insurance (“WSI”) administrative order denying Gonzales any compensation for his injury. The administrative order found Gonzales was not at work the day he claimed he was injured. Gonzales argues the ALJ wrongly found WSI’s evidence to be more persuasive than his evidence. He also argues the ALJ should have permitted the testimony of his coworker instead of excluding it under the “newly discovered evidence” rule. We conclude the ALJ made no reversible error of law and the findings are supported by a preponderance of the evidence. We summarily affirm the district court judgment under N.D.R.App.P. 35.1(a)(5).

[¶2] Gerald W. VandeWalle, C.J.
Jerod E. Tufte
Daniel J. Crothers
Lisa Fair McEvers
Jon J. Jensen