

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

BRYAN LUIS LARREA,)
)
 Claimant,)
)
 v.)
)
 IRON EAGLE EXPRESS, INC.,)
)
 Employer,)
)
 and)
)
 LIBERTY NORTHWEST)
 INSURANCE CORP.,)
)
 Surety,)
 Defendants.)
 _____)

IC 2007-006279

**ORDER DENYING
RECONSIDERATION**

filed June 17, 2008

On May 21, 2008, Claimant timely filed, pursuant to Idaho Code § 72-718, a motion to reconsider the Commission’s Order dated May 1, 2008. Defendants responded on May 29, 2008. Claimant did not file a reply.

In his motion, Claimant requests the Commission to reconsider his case. Claimant failed to assert any error, legal argument or new facts in support of his request. Claimant’s request appears to ask the Commission to merely reweigh the evidence in the case. "It is axiomatic that a claimant must present to the Commission new reasons factually and legally to support a hearing on [his] Motion for Rehearing/Reconsideration rather than rehashing evidence previously presented." *Curtis v. M.H. King Co.*, 142 Idaho 383, 388, 128 P.3d 920, 925, (2005). Claimant has failed to present any justification that would warrant a different conclusion than already issued by the Industrial Commission.

Based upon the foregoing reasons, Claimant's Motion for Reconsideration should be, and is hereby, DENIED.

DATED this _17th_ day of ___June_____2008.

INDUSTRIAL COMMISSION

_____/s/_____
James F. Kile, Chairman

_____/s/_____
R.D. Maynard, Commissioner

_____/s/_____
Thomas E. Limbaugh, Commissioner

ATTEST:

_____/s/_____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on this _17th_ day of ___June_____2008, a true and correct copy of the foregoing **ORDER DENYING RECONSIDERATION** was served by regular United States Mail upon each of the following:

BRYAN LARREA
1009 ROUND VALLEY ST
NAMPA ID 83687

E SCOTT HARMON
PO BOX 6358
BOISE ID 83707-6358

rjo

_____/s/_____