NOT FOR PUBLICATION WITHOUT THE APPROVAL OF THE APPELLATE DIVISION

This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY APPELLATE DIVISION DOCKET NO. A-1998-17T4

JOHANNAH G. SHOLOMISKY,

Petitioner-Appellant,

v.

BOARD OF TRUSTEES, POLICE AND FIREMEN'S RETIREMENT SYSTEM,

Respondent-Respondent.

Argued January 16, 2019 – Decided February 20, 2019

Before Judges Nugent and Mawla.

On appeal from the Board of Trustees of the Police and Firemen's Retirement System, Department of the Treasury, PFRS No. 3-10-052154.

Donald C. Barbati argued the cause for appellant (Crivelli & Barbati, LLC, attorneys; Frank M. Crivelli and Donald C. Barbati, on the brief).

Amy Chung, Assistant Attorney General, argued the cause for respondent (Gurbir S. Grewal, Attorney General, attorney; Melissa H. Raksa, Assistant

Attorney General, of counsel; Eric L. Apar, Deputy Attorney General, on the brief).

PER CURIAM

Petitioner, Johannah Sholomisky, a former corrections officer, appeals from the final agency decision of the Board of Trustees, Police and Firemen's Retirement System (the Board), that denied her application for accidental disability retirement benefits. Throughout the administrative proceedings — the initial rejection of petitioner's application, the contested hearing before an Administrative Law Judge (ALJ), and the Board's final consideration of petitioner's objections to the ALJ's decision — the parties' primary dispute was whether petitioner's disability directly resulted from the trauma she suffered while subduing a prisoner during the course of her employment, or from a preexisting medical condition. The ALJ and the Board found credible the medical evidence that petitioner's disability was not the direct result of a traumatic event.

We affirm. The Board's decision is supported by sufficient credible evidence on the record as a whole. R. 2:11-3(e)(1)(D). Petitioner's arguments are without sufficient merit to warrant further discussion in a written opinion. R. 2:11-3(e)(1)(E).

Affirmed.

I hereby certify that the foregoing is a true copy of the original on file in my office.

CLERK OF THE APPELIATE DIVISION