

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. E910644

TERRY SEEBACK,
EMPLOYEE

CLAIMANT

INTERIM PERSONNEL, INC./
MILLBROOK DISTRIBUTING,
EMPLOYER

RESPONDENT

INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA,
INSURANCE CARRIER

RESPONDENT

OPINION FILED JULY 15, 2003

Upon review before the FULL COMMISSION in Little Rock,
Pulaski County, Arkansas.

Claimant represented by HONORABLE JAY TOLLEY, Attorney at
Law, Fayetteville, Arkansas.

Respondents represented by HONORABLE JOSEPH PURVIS, Attorney
at Law, Little Rock, Arkansas.

Decision of the Administrative Law Judge: Affirmed and
Adopted.

OPINION AND ORDER

This case comes on for review by the Full
Commission on appeal by claimant from an opinion filed
herein by an Administrative Law Judge on October 18, 2002.

The Administrative Law Judge entered the following
findings of fact and conclusions of law:

1. The Arkansas Workers' Compensation
Commission has jurisdiction over
this claim.

2. The stipulations agreed to by the parties and set forth above are hereby accepted as fact.
3. I find that the claimant failed to prove by a preponderance of the evidence that the problems he continues to experience with his knee are causally related to his compensable injury.
4. I find that the claimant failed to prove by a preponderance of the evidence that his ankle problems are causally related to his compensable injury.
5. I find that the claimant failed to prove by a preponderance of the evidence that he is entitled to any additional medical treatment.
6. I find that a preponderance of the evidence establishes that the claimant was totally incapacitated from earning and remained within his healing period for the period extending from November 2, 1997 through January 12, 1998.
7. The respondents controverted this claim in its entirety.

In this case, we have reviewed the record de novo, weighing the evidence impartially and without giving the benefit of the doubt to either party. Ark. Code Ann. § 11-9-704(c) and Fowler v. McHenry, 22 Ark. App. 196, 737 S.W.2d 663 (1987). It is our opinion that the decision of the Administrative Law Judge is correct and should be affirmed.

Specifically, we find from a preponderance of the evidence that the findings of fact made by the Administrative Law Judge are correct, and they are, therefore, adopted by the Full Commission. Accordingly, we affirm and adopt the decision of the Administrative Law Judge filed October 18, 2002, and this claim is denied and dismissed.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

JOE E. YATES, Commissioner

Commissioner Turner dissents.