

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F113932

VICKY TAMBLYN,  
EMPLOYEE

CLAIMANT

RYAN'S FAMILY STEAK HOUSE,  
EMPLOYER

RESPONDENT

AMERICAN CASUALTY COMPANY OF READING, PA,  
INSURANCE CARRIER

RESPONDENT

OPINION FILED JULY 10, 2003

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

Claimant represented by HONORABLE F. MATTISON THOMAS III,  
Attorney at Law, El Dorado, Arkansas.

Respondents represented by HONORABLE CAROL WORLEY, 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 November 19, 2002.

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

1. The stipulations agreed to by the parties at the prehearing telephone conference conducted on September 16, 2002, and contained in the Prehearing Order filed September

17, 2002, are hereby accepted as fact.

2. Claimant has failed to prove by a preponderance of the evidence that she was performing employment services on November 12, 2001, at the time of her accident.
3. Respondents have 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 November 19, 2002, and this claim is denied and dismissed.

IT IS SO ORDERED.

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OLAN W. REEVES, Chairman

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JOE E. YATES, Commissioner

Commissioner Turner dissents.