

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. E311944 & E701489

ROBERT L. ANDREWS,
EMPLOYEE

CLAIMANT

HYTROL CONVEYOR CO.,
SELF-INSURED EMPLOYER

RESPONDENT

OPINION FILED APRIL 22, 2004

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

Claimant represented by HONORABLE KEITH BLACKMAN, Attorney
at Law, Jonesboro, Arkansas.

Respondents represented by HONORABLE BILL H. WALMSLEY,
Attorney at Law, Batesville, 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 2, 2003.

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

1. There was a compensable injury on
January 30, 1997.
2. The compensation rate is \$305.
3. The claimant has failed to prove by
a preponderance of the evidence
that he is permanently and totally

disabled or entitled to wage loss benefits, as a result of his compensable January 30, 1997, injury.

4. The claimant has failed to prove by a preponderance of the evidence that he sustained a permanent anatomical impairment related to his January 30, 1997, injury.
5. The claimant last worked for the respondent in August 1999 and the claimant has proven by a preponderance of the evidence that he is entitled to 26 weeks of disability benefits pursuant to Ark. Code Ann. § 11-9-113.
6. The claimant has failed to prove by a preponderance of the evidence that additional ongoing psychiatric/psychological treatment pursuant to the January 30, 1997, injury is reasonable and necessary.

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

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decision of the Administrative Law Judge filed October 2, 2003, and this claim is denied and dismissed.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.