

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F209588

JOHN HARLESS, EMPLOYEE	CLAIMANT
PETERSON FARMS, INC., EMPLOYER	RESPONDENT
COMPCARE ADMINISTRATORS, INC., CARRIER	RESPONDENT

OPINION FILED JULY 7, 2004

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

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

Respondent represented by HONORABLE CURTIS NEBBEN, Attorney at Law, Fayetteville, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

The claimant appeals from a decision of the Administrative Law Judge filed October 30, 2003.

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

1. The Arkansas Workers' Compensation Commission has jurisdiction of this claim.
2. On July 11, 2002, the relationship of employee-employer-carrier existed between the parties.
3. The claimant sustained a compensable injury to his left knee on July 11, 2002.

4. The claimant is entitled to a weekly compensation rate of \$354.00 for permanent partial disability and \$259.00 for temporary total disability.
5. Temporary total disability has been paid from August 20, 2002, through September 18, 2002.
6. Medical expense have been paid.
7. The claimant has reached the end of his healing period on March 12, 2003.
8. The claimant has failed to prove by a preponderance of the evidence that he is entitled to a functional capacity evaluation.

We have carefully conducted a de novo review of the entire record herein and it is our opinion that the Administrative Law Judge's decision is supported by a preponderance of the credible evidence, correctly applies the law, 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.

Thus, we affirm and adopt the decision of the Administrative Law Judge, including all findings and conclusions therein, as the decision of the Full Commission on appeal.

IT IS SO ORDERED.

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OLAN W. REEVES, Chairman

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KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.