

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F205988

ANTHONY JENNINGS,
EMPLOYEE

CLAIMANT

UNITED PARCEL SERVICE, INC.,
EMPLOYER

RESPONDENT

LIBERTY MUTUAL FIRE INSURANCE CO.,
INSURANCE CARRIER

RESPONDENT

OPINION FILED JULY 20, 2004

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

Claimant appears pro se.

Respondents represented by the HONORABLE DAVID C. JONES,
Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and
Adopted.

OPINION AND ORDER

Claimant appeals an opinion and order of the
Administrative Law Judge filed December 1, 2003. In
said order, the Administrative Law Judge made the
following findings of fact and conclusions of law:

1. The claimant is entitled as a matter
of law to exercise his right on a one-time
basis to change physicians. I will grant
the claimant's request to change to Dr.
Thomas Ward retroactively.

2. The treatment rendered by Dr. Thomas
Ward is found to be unreasonable and
unnecessary treatment as it relates to the
claimant's compensable injury of May 28,
2002.

3. The claimant does not demonstrate by a preponderance of the evidence that he is entitled to temporary total disability benefits beyond that initial period of temporary total disability benefits which respondents paid.

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.

Therefore we affirm and adopt the December 1, 2003 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.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.