

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F212605

JAMES KELSEY,
EMPLOYEE

CLAIMANT

GEORGE'S, INC.,
SELF-INSURED EMPLOYER

RESPONDENT

CORCKETT ADJUSTMENT,
THIRD PARTY ADMINISTRATOR

RESPONDENT

OPINION FILED MAY 18, 2004

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

Claimant represented by HONORABLE JASON WATSON, Attorney at
Law, Fayetteville, Arkansas.

Respondents represented by HONORABLE DAVID WALL, Attorney at
Law, Fayetteville, Arkansas.

Decision of the Administrative Law Judge: Affirmed and
adopted.

OPINION AND ORDER

The claimant appeals from a decision of the
Administrative Law Judge filed September 19, 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 all relevant dates, including July 15,
2002, the relationship of employee-employer-
third party carrier existed between the
parties.

3. On all relevant dates, including July 15, 2002, the claimant earned wages sufficient to entitle him to weekly compensation benefits of \$267.00 for total disability and \$200.00 for permanent partial disability, should such benefits have been appropriate.
4. The claimant has failed to prove by the greater weight of the credible evidence that he sustained a compensable injury to his right shoulder on or about July 15, 2002. Specifically, he has failed to prove by the greater weight of the credible evidence the occurrence of a physical injury to his right shoulder that arose out of and occurred in the course of his employment, that was caused by a specific incident, and that is identifiable by time and place of occurrence.
5. The respondents have denied the occurrence of any compensable injury to the claimant's right shoulder and have controverted this claim in its entirety.

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

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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.