

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F309688

SHARON MCMILLEN,
EMPLOYEE

CLAIMANT

WAL-MART STORES, INC.,
EMPLOYER

RESPONDENT

CLAIMS MANAGEMENT INC.,
INSURANCE CARRIER/TPA

RESPONDENT

OPINION FILED AUGUST 20, 2004

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

Claimant appears pro se.

Respondents represented by the HONORABLE MIKE ROBERTS and
HONORABLE COLLEEN McCULLOUGH, Attorneys at Law, Little Rock,
Arkansas.

ORDER

This case comes on for review before the Full
Commission on Respondent's Motion to Strike Claimant's Brief
on appeal. After our consideration of Respondent's motion
and Claimant's response to the motion and all other matters
properly before the Commission, we find that Respondent's
motion should be denied.

It its motion Respondent argues that Claimant attached
documents to the brief that were not admitted as evidence at
the hearing before the Administrative Law Judge. Respondent

also asserts that Claimant's argument about this evidence in her brief is improper since it was not admitted.

Notwithstanding our denial of Respondent's motion, we want to assure the parties that we will not consider any improperly raised issues nor will we consider any evidence not admitted at the hearing during our de novo review of the case and record.

Accordingly, we find that Respondent's Motion to Strike Claimant's Brief should be, and hereby is, denied.

_____ IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

Commissioner McKinney dissents.