

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F300096

JOHN MARC WHEELER, EMPLOYEE	CLAIMANT
ALMA HEALTHCARE & REHAB, EMPLOYER	RESPONDENT
CANNON COCHRAN MANAGEMENT SERVICES, INSURANCE CARRIER	RESPONDENT

OPINION FILED FEBRUARY 5, 2004

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

Claimant represented by HONORABLE J. RANDOLPH SHOCK,
Attorney at Law, Fort Smith, Arkansas.

Respondent represented by HONORABLE CURTIS L. 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 June 2, 2003.

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

1. The stipulations agreed to by the parties at the pre-hearing conference conducted on March 17, 2003, and contained in a pre-hearing order filed that same date, are hereby accepted as fact.

2. Claimant earned an average weekly wage of \$185.15. This would entitle claimant to compensation benefits at the rate of \$123.00 per week for temporary total disability.
3. Claimant has failed to prove by a preponderance of the evidence that he is entitled to any temporary total or partial disability benefits as a result of his compensable injury.
4. Claimant has proven by a preponderance of the evidence that he is entitled to an additional medical evaluation by Dr. Terry Clark.

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.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.