

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F308757

ODIS D. ALLEN, EMPLOYEE	CLAIMANT
JOHNSON SALES CO., INC., EMPLOYER	RESPONDENT
COMMERCE & INDUSTRY INSURANCE CO., CARRIER	RESPONDENT

OPINION FILED DECEMBER 20, 2005

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

Claimant represented by HONORABLE STEVEN R. McNEELY, Attorney at Law, Little Rock, Arkansas.

Respondent represented by HONORABLE JOHN P. TALBOT, Attorney at Law, Pine Bluff, 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 6, 2005.

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. The stipulations agreed to by the parties are reasonable and are hereby accepted as fact.

3. The claimant has failed to prove by a preponderance of the evidence that he sustained a compensable consequence of his original injury in the form of hand and face numbness.

4. The claimant has failed to prove by a preponderance of the evidence that he remained in his healing period after January 22, 2004.

5. The claimant has failed to prove by a preponderance of the evidence that he was totally incapacitated from working after January 22, 2004.

6. The claimant has therefore failed to prove by a preponderance of the evidence that he was entitled to temporary total disability benefits after January 22, 2004.

7. The claimant has proven by a preponderance of the evidence that additional medical treatment, specifically an evaluation by Dr. Lytle or another specialist, remains reasonably necessary in connection with the compensable injury.

8. The claimant earned an average weekly wage of \$272.07, entitling him to a compensation rate of \$181 for total disability benefits and \$154 for permanent partial disability benefits.

9. The respondents have controverted all benefits sought herein.

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.