

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. E806526

SUSAN ASHCRAFT (TRIVITT), EMPLOYEE	CLAIMANT
COMFORT INN, EMPLOYER	RESPONDENT
UNION STANDARD INSURANCE CO., INSURANCE CARRIER	RESPONDENT

OPINION FILED MARCH 30, 2005

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

Claimant represented by the HONORABLE FREDERICK S.
SPENCER, Attorney at Law, Mountain Home, Arkansas.

Respondents represented by the HONORABLE WILLIAM C.
FRYE, 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 November 18, 2003. In
said order, the Administrative Law Judge made the
following findings of fact and conclusions of law:

1. The Arkansas Workers' Compensation
Commission has jurisdiction over this claim.
2. The stipulations agreed to by the
parties and set forth above are hereby
accepted as fact.

3. I find that a preponderance of the evidence establishes that an incident occurred on January 14, 1998, which resulted in a temporary exacerbation of the claimant's pre-existing back condition.

4. I find that a preponderance of the evidence fails to establish that the condition for which the claimant sought medical treatment in March of 1998, and for which she now claims entitlement to benefits under the Arkansas Workers' Compensation law was causally related to the January 14, 1998 incident.

5. I find that the claimant failed to prove by a preponderance of the evidence that she is entitled to benefits under the Arkansas Workers' Compensation Law.

6. The respondents 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.

Therefore we affirm and adopt the November 18, 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.