

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. E909069

EDWIN L. CARLISLE, EMPLOYEE	CLAIMANT
KING TRUCKING, INC., EMPLOYER	RESPONDENT
BITUMINOUS CASUALTY INSURANCE, CARRIER	RESPONDENT

**OPINION FILED JUNE 30, 2005**

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

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

Respondent represented by HONORABLE RANDY P. MURPHY, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

**OPINION AND ORDER**

The claimant appeals from a decision of the Administrative Law Judge filed March 2, 2004.

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

1. The employee-employer-carrier relationship existed at all relevant times.
2. The claimant sustained a compensable low back and left leg injury on July 26, 1999.
3. The respondent paid temporary total disability from July 26, 1999, to

August 21, 2000, at the rate of \$285.00.  
(T-57)

4. The preponderance of the evidence reflects that the claimant's average weekly wage was \$285.00

5. The preponderance of the evidence reflects that the claimant is not entitled to temporary total disability benefits since during the period requested, he was not in a healing period and totally incapacitated from earning wages.

6. The preponderance of the evidence reflects that the claimant is entitled to reasonable and necessary medical treatment (not related to the psychiatric treatment) prior to February 2, 2000, but not subsequent thereto. The claimant's attorney is awarded an attorney's fee on the unpaid medical.

7. The preponderance of the evidence reflects that the claimant is not entitled to permanent partial disability. The preponderance of the evidence reflects that the claimant's work-related injury was not the major cause of his disability or need for treatment.

8. The preponderance of the evidence reflects that the claimant is not entitled to treatment pursuant to Ark. Code Ann. §11-9-113 (psychiatric treatment.)

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.

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OLAN W. REEVES, Chairman

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KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.