

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F302985

CYNTHIA L. BAILEY,
EMPLOYEE

CLAIMANT

CARE MANOR OF BAXTER COUNTY,
EMPLOYER

RESPONDENT

HCF TRUST,
INSURANCE CARRIER

RESPONDENT

OPINION FILED AUGUST 12, 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 CAROL LOCKARD
WORLEY, 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 May 17, 2005. In said
order, the Administrative Law Judge made the following
findings of fact and conclusions of law:

1. The employee-employer-carrier
relationship existed at all relevant
times.
2. The claimant's average weekly wage
was \$266.90 yielding a total disability
rate of \$178.00 per week and a permanent
partial disability rate of \$154.00 per
week.

3. The claimant has failed by a preponderance of the credible evidence (Sic) that she sustained a compensable knee injury. Specifically, a preponderance of the credible evidence establishes that the claimant's knee injury occurred on March 9, 2003 in Tunica and not on March 5, 2003 at work as she asserts.

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 May 17, 2005 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.