

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO.F312284

LONNIE COKER, EMPLOYEE	CLAIMANT
DAIRY FARMERS OF AMERICA, EMPLOYER	RESPONDENT No. 1
LIBERTY MUTUAL INSURANCE, CARRIER	RESPONDENT NO. 1
BUD DUNCAN TRUCKING, UN-INSURED EMPLOYER	RESPONDENT NO. 2

ORDER FILED APRIL 4, 2005

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

Claimant represented by HONORABLE LAMAR PORTER, Attorney at Law, Little Rock, Arkansas.

Respondent No. 1 represented by HONORABLE DAVID JONES, Attorney at Law, Little Rock, Arkansas.

Respondent No. 2 represented by MR. BUD DUNCAN, Pro se, Colcord, Oklahoma.

OPINION AND ORDER

This matter comes on review before the Full Commission on the joint motion of Respondent No. 1 and Claimant to hold the appeal to the Full Commission in abeyance until the Supreme Court issues a decision in Garcia v. A & M Roofing, decided by the Arkansas Court of Appeals on February 2, 2005. On March 31, 2005 the Supreme Court of Arkansas denied petition for review for Garcia. As such, the proposed Joint Motion to Hold Appeal in Abeyance is now moot.

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Accordingly, we find that the Joint Motion to Hold Appeal in Abeyance should be, and is hereby denied.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner