

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM NO. F213331**

**JUAN GARCIA, EMPLOYEE**

**CLAIMANT**

**A & M ROOFING,  
AN UNINSURED EMPLOYER**

**RESPONDENT**

**ORDER FILED APRIL 26, 2005**

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

Claimant represented by HON. ERIC BUCHANAN, Attorney at Law, Little Rock, Arkansas.

Respondent represented by HON. GAIL O. MATTHEWS, Attorney at Law, Little Rock, Arkansas.

ORDER

This matter is currently before the Full Commission on remand from the Arkansas Court of Appeals. In an Opinion filed February 2, 2005, the Arkansas Court of Appeals reversed the decision of the Full Commission and remanded this claim to the Commission for an award of benefits.

In accordance with the mandate from the Court of Appeals, and it having been determined by the Court of Appeals that the claimant's status as an employee of an uninsured subcontractor brings him within the protection of A.C.A. § 11-9-402(a), and that A & M is liable for the workers' compensation benefits related to the injuries the claimant sustained, we hereby find the claimant has proven by preponderance of the evidence that he sustained a

compensable injury on April 12, 2002, for which his is entitled to temporary total disability benefits from April 13, 2002, through March 6, 2003. We further find that A & M is responsible for all reasonable and necessary medical expenses in connection with this injury subject to audit under Commission Rule 30. This claim has been controverted for which the claimant's counsel is entitled to the maximum attorney's fees to be paid in accordance with A.C.A. § 11-9-715; 11-9-801, and Commission Rule 10. Accordingly, the respondents are directed to comply with the award set forth in the opinion of the Administrative Law Judge filed July 9, 2003.

For prevailing on this appeal before the Full Commission, the claimant's attorney is hereby awarded an additional attorney's fee in the amount of \$500.00 in accordance with A.C.A. § 11-9-715.

IT IS SO ORDERED.

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OLAN W. REEVES, Chairman

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SHELBY W. TURNER, Commissioner

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KAREN H. MCKINNEY, Commissioner