

# NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F301894

BENNIE HOLLIMAN,  
EMPLOYEE

CLAIMANT

BOX LOGGING,  
EMPLOYER

RESPONDENT

AMERICAN INTERSTATE INS. CO.,  
INSURANCE CARRIER

RESPONDENT

OPINION FILED JUNE 8, 2005

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

Claimant represented by the HONORABLE JAMES M. PRATT,  
JR., Attorney at Law, Camden, Arkansas.

Respondents represented by the HONORABLE MICHAEL E.  
RYBURN, 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 October 7, 2004. 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 of this  
claim.

2. The stipulations agreed to by the parties are reasonable and are hereby accepted as fact.

3. The claimant has failed to prove by a preponderance of the evidence the existence of a contract of hire between the claimant and the respondent.

4. The claimant has failed to prove by a preponderance of the evidence that he was an employee of the respondent.

5. The claimant has failed to prove by a preponderance of the evidence that he sustained an injury arising out of and in the course of employment with the respondent.

6. The claimant has therefore failed to prove by a preponderance of the evidence that he sustained a compensable injury.

7. The respondents have 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 October 7, 2004 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.