

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F408540

JONATHAN HALL,
EMPLOYEE

CLAIMANT

TARGET DISTRIBUTION CENTER,
EMPLOYER

RESPONDENT

CONSTITUTION STATE SERVICE CO.,
INSURANCE CARRIER

RESPONDENT

OPINION FILED JUNE 13, 2005

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

Claimant represented by the HONORABLE GARY DAVIS,
Attorney at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE GUY A. WADE,
Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and
Adopted.

OPINION AND ORDER

Respondents appeal an opinion and order of
the Administrative Law Judge filed January 25, 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. On July 4, 2004, the relationship of employee-employer existed between the parties.
3. On July 4, 2004, the claimant earned an average weekly wage of \$506.00, which

generates weekly compensation benefit rates of \$338.00/\$253.00, for temporary total/permanent partial disability.

4. On July 4, 2004, the claimant sustained an injury arising out of and in the course of his employment.
5. The claimant was temporarily totally disabled for the period August 16, 2004, through September 28, 2004, and temporarily partially disabled thereafter, until such time as he reaches the end of his healing period, or no longer suffers a reduction in his earnings as a result of the compensable injury.
6. The respondent shall pay all reasonable hospital and medical expenses arising out of the injury of July 4, 2004.
7. The respondent has 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 made by the Administrative Law Judge are correct and they are, therefore, adopted by the Full Commission.

We therefore affirm the January 25, 2004 decision of the Administrative Law Judge, including all findings of fact and conclusions of law therein, and

adopt the opinion as the decision of the Full Commission on appeal.

All accrued benefits shall be paid in a lump sum without discount and with interest thereon at the lawful rate from the date of the Administrative Law Judge's decision in accordance with Ark. Code Ann. § 11-9-809 (Repl. 2002).

Since the claimant's injury occurred after July 1, 2001, the claimant's attorney's fee is governed by the provisions of Ark. Code Ann. § 11-9-715 as amended by Act 1281 of 2001. Compare Ark. Code Ann. § 11-9-715 (Repl. 1996) with Ark. Code Ann. § 11-9-715 (Repl. 2002). For prevailing on this appeal before the Full Commission, claimant's attorney is hereby awarded an additional attorney's fee in the amount of \$500.00 in accordance with Ark. Code Ann. § 11-9-715(b) (Repl. 2002).

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

Commissioner McKinney dissents.