

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NOS. F409556 & F409557

HERMAN HAMPTON,
EMPLOYEE CLAIMANT

CRANE COMPANY - KEMLITE,
EMPLOYER RESPONDENT

AMERICAN INSURANCE COMPANY,
INSURANCE CARRIER RESPONDENT

OPINION FILED AUGUST 1, 2005

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

Claimant represented by the HONORABLE TODD WILLIAMS,
Attorney at Law, Jonesboro, Arkansas.

Respondents represented by the HONORABLE E. DIANE
GRAHAM, Attorney at Law, Fort Smith, Arkansas.

Decision of Administrative Law Judge: Affirmed and
Adopted.

OPINION AND ORDER

Respondents appeal an opinion and order of
the Administrative Law Judge filed February 28, 2005.
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 these claims.
2. At all times pertinent, the relationship of employee-employer-carrier existed among the parties.
3. At all times pertinent to these claims, the claimant earned an average weekly wage of \$523.00, which would entitle him to weekly compensation benefits of

\$349.00/262.00 for temporary
total/permanent partial disability.

4. On or about September 29, 2003, the claimant sustained injuries to both shoulders and his left wrist arising out of and in the course of his employment.
5. On February 21, 2004, the claimant sustained an injury to his left wrist arising out of and in the course of his employment.
6. The claimant was temporarily totally disabled for the period September 23, 2004, and continuing through January 4, 2005.
7. The respondent shall pay all reasonable hospital and medical expenses arising out of the injuries of September 29, 2003, and February 21, 2004.
8. The respondents have controverted the payment of these claims in their 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 February 28, 2005 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.