

**NOT DESIGNATED FOR PUBLICATION**

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM NO. E811856**

<b>STEVE L. RHINE, EMPLOYEE</b>	<b>CLAIMANT</b>
<b>HECKETT MULTISERV, EMPLOYER</b>	<b>RESPONDENT NO. 1</b>
<b>CIGNA, CARRIER</b>	<b>RESPONDENT NO. 1</b>
<b>NUCOR CORPORATION, EMPLOYER</b>	<b>RESPONDENT NO. 2</b>
<b>LIBERTY MUTUAL INSURANCE CO., CARRIER</b>	<b>RESPONDENT NO. 2</b>

**OPINION FILED APRIL 26, 2005**

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

Claimant represented by HONORABLE SCOTT WILLHITE, Attorney at Law, Jonesboro, Arkansas, and HONORABLE STEVE SOKOLOFF, Attorney at Law.

Respondent No. 1 represented by HONORABLE MARK MAYFIELD, Attorney at Law, Jonesboro, Arkansas.

Respondent No. 2 represented by the HONORABLE ROBERT L. COLEMAN, Attorney at Law, Blytheville, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

**OPINION AND ORDER**

Respondent No. 2, appeals from a decision of the Administrative Law Judge filed April 30, 2004.

The Administrative Law Judge entered the following findings of fact and conclusions of law:

1. The Arkansas Workers' Compensation Commission has jurisdiction of this claim.
2. On August 16, 1998, the relationship of employee-employer-carrier existed among the claimant and Respondents #1.
3. On August 16, 1998, the claimant was not an employee, special or otherwise, within the meaning of the Arkansas Workers' Compensation law of Respondent #2.

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.

Thus, we affirm and adopt the decision of the Administrative Law Judge, including all findings and conclusions therein, 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 prior to July 1, 2001, the claimant's attorney's fee is governed by the provisions of Ark. Code Ann. § 11-9-715 as it existed prior to the amendments of 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 \$250.00 in accordance with Ark. Code Ann. § 11-9-715(b) (Repl. 1996).

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