

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F308715

BILL PINKERTON,
EMPLOYEE

CLAIMANT

LANDAIR TRANSPORT, INC.,
EMPLOYER

RESPONDENT

GREAT WEST CASUALTY CO.,
INSURANCE CARRIER

RESPONDENT

OPINION FILED MAY 23, 2005

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

Claimant represented by the HONORABLE PHILIP M. WILSON,
Attorney at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE FRANK B.
NEWELL, 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 November 23, 2004. In
said order, the Administrative Law Judge made the
following findings of fact and conclusions of law:

1. Employer-employee-carrier relationship
at all pertinent times.

2. This claim has been controverted.

3. As of the date of the claimed right knee injury, August 1, 2003, claimant was earning wages entitling him to receive benefits at the maximum compensation rates of \$425/\$319 should this claim be found compensable.

4. The claimant's post-surgical healing period ended on March 11, 2004.

5. The claimant has failed to establish by a preponderance of the evidence that he experienced a compensable knee injury on August 1, 2003. Specifically, the existence of the alleged injury is not established by medical evidence supported by objective findings in the record.

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 November 23, 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.

OLAN W. REEVES, Chairman

KAREN H. McKINNEY, Commissioner

Commissioner Turner dissents.