

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F107476

WOODROW SWAIM,  
EMPLOYEE

CLAIMANT

WAL-MART ASSOCIATES, INC.,  
EMPLOYER

RESPONDENT NO. 1

CLAIMS MANAGEMENT, INC.,  
INSURANCE CARRIER/TPA

RESPONDENT NO. 1

SECOND INJURY FUND

RESPONDENT NO. 2

OPINION FILED JULY 7, 2005

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

Claimant represented by the HONORABLE TOM THOMPSON, Attorney  
at Law, Batesville, Arkansas.

Respondents No. 1 represented by the HONORABLE PATRICK  
SPIVEY, Attorney at Law, Little Rock, Arkansas.

Respondent No. 2 represented by the HONORABLE JUDY RUDD,  
Attorney at Law, Little Rock, Arkansas.

ORDER

The Arkansas Court of Appeals has reversed the  
Commission in the above-styled matter and has remanded for  
proceedings consistent with the Court's opinion. Swaim v.  
Wal-Mart Associates, Inc., CA 04-1116 (May 25, 2005). The  
Court of Appeals has held, "In summary, this was a specific-  
incident injury arising out of and in the course of

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employment. The finding that this was a non-compensable idiopathic injury is not supported by substantial evidence. We reverse and remand for proceedings consistent with this opinion."

The Full Commission therefore remands this case to an administrative law judge for additional proceedings. The administrative law judge shall conduct those proceedings necessary to adjudicate the issues raised in the March 11, 2003 pre-hearing order as clarified at the hearing held on May 16, 2003.

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