

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F313557

DOUG N. TOSH,
EMPLOYEE

CLAIMANT

SAIA MOTOR FREIGHT LINE,
SELF-INSURED EMPLOYER

RESPONDENT

OPINION FILED JANUARY 20, 2005

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

Claimant represented by the HONORABLE STEVEN McNEELY,
Attorney at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE ANDY L. CALDWELL,
Attorney at Law, Little Rock, Arkansas.

ORDER

This case comes on for review before the Full
Commission on respondents' Motion To File Belated Brief.
After our consideration of respondents' motion and all other
matters properly before the Commission, we find that this
motion must be denied.

The Clerk of the Commission informed respondents
that their brief was due on December 22, 2004. Respondents
argue that due to inclement weather they were unable to file
their brief on its due date. However, respondents did not

file the present motion until January 6, 2005. Since respondents' motion was untimely filed, the motion must be denied.

Accordingly, we find that respondents' Motion to File Belated Brief should be, and hereby is, denied. Therefore, we direct the Clerk of the Commission to submit this case to the Full Commission in accordance with the submission date previously set forth, January 26, 2005.

_____ IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner