

# NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F401555

JOSE M. VASQUEZ,  
EMPLOYEE

CLAIMANT

DIAMOND CONSTRUCTION, INC.,  
EMPLOYER

RESPONDENT

CROCKETT ADJUSTMENT,  
INSURANCE CARRIER/TPA

RESPONDENT

OPINION FILED AUGUST 12, 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 ROBERT L.  
HENRY, III, 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 30, 2004. In  
said order, the Administrative Law Judge made the  
following findings of fact and conclusions of law:

1. The Workers' Compensation Commission  
has jurisdiction of this claim in which the  
relationship of employer-employee-carrier  
existed among the parties on November 14,  
2003.

2. The claimant has failed to prove by  
a preponderance of the credible evidence  
that he sustained a compensable injury,  
caused by a specific incident, arising  
out of and in the course of his

employment which produced physical bodily harm, supported by objective findings, requiring medical treatment or producing disability, pursuant to Ark. Code Ann. § 11-9-102.

3. The respondents did not receive notification of this injury until February 12, 2004.

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 30, 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.

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OLAN W. REEVES, Chairman

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KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.

