

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F305637

SANDRA WOOTEN,
EMPLOYEE

CLAIMANT

CENTRAL MOLONEY, INC.,
EMPLOYER

RESPONDENT

CROCKETT ADJUSTMENT COMPANY,
INSURANCE CARRIER/TPA

RESPONDENT

ORDER FILED APRIL 21, 2005

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

Claimant appears pro se.

Respondents represented by the HONORABLE MICHAEL DENNIS,
Attorney at Law, Little Rock, Arkansas.

ORDER

_____This case comes on for review before the Full
Commission on respondent's motion to strike claimant's
brief. Respondent asserts claimant's brief contains
statements in the argument portion not testified to at the
hearing below or not accurately reflective of the
documentary evidence introduced. As there are no specific
references to specific statements made by claimant in that
brief, it is difficult for the Commission to assess this

alleged error on claimant's part. However, since the Full Commission conducts a de novo review of the record produced below, we are adequately prepared to ascertain evidence from argument. Because of the de novo review conducted on appeal, we will not consider any statement made by claimant in her brief as evidence, that is not also contained in testimony. We will also consider any statement made by claimant not contained in the testimony or documentary evidence already in the record, not to be of probative value and will give it no weight.

Accordingly, we find that respondent's motion to strike should be, and hereby is denied.

_____IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner