

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NOS. F400935 and F400936

RICHARD WATSON,  
EMPLOYEE

CLAIMANT

CARGILL, INC.,  
EMPLOYER

RESPONDENT

CRAWFORD AND COMPANY,  
INSURANCE CARRIER

RESPONDENT

OPINION FILED FEBRUARY 18, 2005

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

Claimant represented on appeal by the HONORABLE LUCKY  
McMAHON, Attorney at Law, Springdale, Arkansas.  
Claimant represented at the hearing by the HONORABLE  
STEPHEN M. SHARUM, Attorney at Law, Fort Smith,  
Arkansas.

Respondents represented by the HONORABLE TIMOTHY L.  
BROOKS, Attorney at Law, Fayetteville, Arkansas.

Decision of Administrative Law Judge: Affirmed and  
Adopted.

OPINION AND ORDER

Claimant appeals an opinion and order of the  
Administrative Law Judge filed August 19, 2004. In said  
order, the Administrative Law Judge made the following  
findings of fact and conclusions of law:

1. The stipulations agreed to by the parties at the pre-hearing conference conducted on April 7, 2004, and contained in an amended pre-hearing order filed April 8, 2004, are hereby accepted as fact.

2. Claimant has failed to meet his burden of proving by a preponderance of the evidence that his subsequent back problems are causally related to his compensable injury of January 7, 2003.

3. Claimant has also failed to prove by a preponderance of the evidence that he suffered a new injury or aggravation of his pre-existing condition while employed by respondent on January 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 August 19, 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.