

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F501577

MARCUS KENT ELKINS, EMPLOYEE	CLAIMANT
ARKANSAS RIVER EDUCATION SERVICES CO-OP, EMPLOYER	RESPONDENT
RISK MANAGEMENT RESOURCES, CARRIER	RESPONDENT

OPINION FILED MAY 8, 2006

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

Claimant represented by HONORABLE KENNETH BUCKNER,
Attorney at Law, Pine Bluff, Arkansas.

Respondent represented by HONORABLE MICHAEL RYBURN,
Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and
Adopted.

OPINION AND ORDER

Claimant appeals from a decision of the
Administrative Law Judge filed November 18, 2005.

The Administrative Law Judge entered the
following findings of fact and conclusions of law:

1. The Workers' Compensation Commission has jurisdiction of this claim in which the employer-employee-carrier relationship existed among the parties on January 19, 2005 at which time the claimant sustained multiple injuries in a MVA. He was earning sufficient

wages to be entitled to a compensation rate of \$466.00/\$350.00. The respondents paid temporary total disability benefits until March 2, 2005 when the claim was controverted.

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.

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.

Thus, we affirm and adopt the 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.

OLAN W. REEVES, Chairman

KAREN H. McKINNEY, Commissioner

Commissioner Turner dissents.