

# NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F309180

L. E. JOHNSON,  
EMPLOYEE

CLAIMANT

TARGET,  
EMPLOYER

RESPONDENT

CONSTITUTION STATE SERVICE CO.,  
INSURANCE CARRIER

RESPONDENT

OPINION FILED JANUARY 27, 2006

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

Claimant represented by the HONORABLE BEN E. RICE,  
Attorney at Law, Jacksonville, Arkansas.

Respondents represented by the HONORABLE GUY A. WADE,  
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 February 18, 2005. 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  
August 19, 2003 at a compensation rate  
of \$440.00/\$330.00.

2. The claimant has failed to prove by  
a preponderance of the evidence of record  
that he sustained a compensable aggravation

of a preexisting condition based on objective medical evidence as required by 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.

Therefore we affirm and adopt the February 18, 2005 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.