

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NOS. F202350 & F208020

ROYAL S. SHOUP, EMPLOYEE	CLAIMANT
TURNER DAIRIES, INC. (COLEMAN DAIRY), EMPLOYER	RESPONDENT
THE TRAVELERS, CARRIER	RESPONDENT

OPINION FILED JANUARY 24, 2006

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

Claimant represented by HONORABLE H. OSCAR HIRBY, Attorney at Law, Little Rock, Arkansas.

Respondent represented by HONORABLE ROBERT MONTGOMERY Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

The claimant appeals from a decision of the Administrative Law Judge filed September 1, 2005.

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

1. There were compensable injuries on October 17, 2001, and July 4, 2002.
2. The compensation rates are \$400/300.

3. Respondents paid the claimant three weeks and six days of temporary total disability benefits and paid attorney's fees on those benefits and acknowledge an 18% penalty is owed on the temporary total disability benefits.

4. The claimant has failed to prove by a preponderance of the evidence that he is entitled to Ark. Code Ann. §11-9-505(a)(1) benefits.

5. The claimant has failed to prove by a preponderance of the evidence that he has sustained wage loss disability.

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.

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IT IS SO ORDERED.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.