

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F203901

LARRY YOUNG, EMPLOYEE	CLAIMANT
ROCKLINE INDUSTRIES, EMPLOYER	RESPONDENT
UNITED STATES FIRE INSURANCE CO., CARRIER	RESPONDENT

ORDER FILED AUGUST 18, 2006

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

Claimant represented by HONORABLE EDDIE WALKER, JR., Attorney at Law, Fort Smith, Arkansas.

Respondent represented by HONORABLE WENDY S. WOOD, Attorney at Law, Little Rock, Arkansas.

ORDER

Presently before the Commission is Claimant's Motion to Dismiss Appeal. After consideration of the claimant's motion, respondent's response thereto and all other matters properly before the Commission, we find that the claimant's motion must be, and hereby is granted.

An Administrative Law Judge filed an opinion dated May 11, 2006, finding in relevant part that the doctrine of res judicata bars the claimant's request for additional medical treatment from Dr. Tony Raben. Claimant filed a Notice of Appeal from the decision on June 13, 2006. After

further consideration of his claim, the claimant has filed the present Motion to Dismiss his Appeal and requests that the present claim be reassigned to an Administrative Law Judge for a determination as to the extent of the claimant's wage loss disability. On August 2, 2006, the respondent's filed correspondence with the Commission advising that they do not have any objections to the claimant's motion.

Accordingly, we find that the Claimant's Motion to Dismiss his Appeal should be, and hereby is, granted. The Clerk of the Commission is hereby ordered to reassign this claim to an Administrative Law Judge for a determination as to the extent, if any, of the claimant's wage loss disability.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner