

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F308982

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| DONALD CORLEY, EMPLOYEE | CLAIMANT |
| AUGUSTA PUBLIC SCHOOLS, EMPLOYER | RESPONDENT |
| RISK MANAGEMENT RESOURCES, CARRIER | RESPONDENT NO. 1 |
| SECOND INJURY FUND | RESPONDENT NO. 2 |

OPINION FILED FEBRUARY 27, 2007

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

Claimant represented by the HONORABLE JIM R. BURTON,
Attorney at Law, Jonesboro, Arkansas.

Respondent No. 1 represented by the HONORABLE RICHARD LUSBY,
Attorney at Law, Jonesboro, Arkansas.

Respondent No. 2 represented by the HONORABLE DAVID L. PAKE,
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 October 25, 2006.

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

1. The Arkansas Workers' Compensation Commission has jurisdiction of this claim.

2. The employer/employee relationship existed at all relevant times, including August 14, 2003.
3. The claimant has failed to prove by a preponderance of the evidence that he suffered a compensable injury to his lower back and lower extremities on August 14, 2003.

The claimant alleges that he sustained a compensable injury that is governed by the Arkansas Workers' Compensation Act, A.C.A. § 11-9-101 et seq. The claimant's alleged injury is, indeed, an injury that is covered by the Act; however, the claimant has failed to establish the elements necessary to prove a compensable injury by a preponderance of the evidence.

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 filed October 25, 2006, including

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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 Hood dissents.