

# NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F601632

JUANITA CORLEY, EMPLOYEE	CLAIMANT
CRAWFORD COUNTY SENIOR CITIZEN, EMPLOYER	RESPONDENT
GALLAGHER BASSETT SERVICES, INC., INSURANCE CARRIER	RESPONDENT

OPINION FILED APRIL 24, 2007

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

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

Respondents represented by the HONORABLE MICHAEL MAYTON, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

## OPINION AND ORDER

Respondents appeal an opinion and order of the Administrative Law Judge filed November 8, 2006. In said order, the Administrative Law Judge made the following findings of fact and conclusions of law:

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

2. On January 4, 2006, the relationship of employee-employer-carrier existed between the parties.
3. The claimant is entitled to a weekly compensation rate of \$66.00 for temporary total disability.
4. The claimant has proven by a preponderance of the evidence that she sustained a compensable injury to her right shoulder while working for the respondent on January 4, 2006.
5. The respondents should pay for all reasonable and necessary medical treatment for this claimant's compensable right shoulder injury.
6. The respondents should pay temporary total disability to this claimant from April 6, 2006, to July 17, 2006.
7. The respondents will be entitled to a set off for any benefits paid to this claimant through her group health insurance or short term disability benefits.
8. The respondents have controverted this claim in its entirety.
9. The claimant's attorney is entitled to the maximum statutory attorney's fee based on the benefits awarded herein.

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 made by the Administrative Law Judge are correct and they are, therefore, adopted by the Full Commission.

We therefore affirm the November 8, 2006, decision of the Administrative Law Judge, including all findings of fact and conclusions of law therein, and adopt the opinion as the decision of the Full Commission on appeal.

All accrued benefits shall be paid in a lump sum without discount and with interest thereon at the lawful rate from the date of the Administrative Law Judge's decision in accordance with Ark. Code Ann. § 11-9-809 (Repl. 2002).

Since the claimant's injury occurred after July 1, 2001, the claimant's attorney's fee is governed by the provisions of Ark. Code Ann. § 11-9-715 as amended by Act 1281 of 2001. Compare Ark. Code Ann. § 11-9-715 (Repl. 1996) with Ark. Code Ann. § 11-9-715 (Repl. 2002). For prevailing on this appeal before the Full Commission, claimant's attorney is hereby awarded an additional attorney's fee in the amount of \$500.00 in accordance with Ark. Code Ann. § 11-9-715(b) (Repl. 2002).

Corley - F601632

4

IT IS SO ORDERED.

---

OLAN W. REEVES, Chairman

---

PHILIP A. HOOD, Commissioner

Commissioner McKinney dissents.