

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F513625

TRACY GANN, EMPLOYEE	CLAIMANT
RUSSELL CELLULAR, EMPLOYER	RESPONDENT
CINCINNATI INSURANCE CO., CARRIER	RESPONDENT

OPINION FILED SEPTEMBER 13, 2007

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 WILLIAM C. FRYE, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

The respondents appeal from a decision of the Administrative Law Judge filed April 3, 2007.

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

1. The parties' stipulation that the prior opinion filed on April 24, 2006 is final is hereby accepted as fact.

2. Claimant has met her burden of proving by a preponderance of the evidence that she is entitled to medical treatment from Dr. Boxell. This includes surgery which has previously been performed by Dr. Boxell.

3. Claimant is entitled to temporary total disability benefits beginning October 18, 2006 and continuing through a date yet to be determined.

4. Claimant is entitled to a lump sum payment of the remainder of her 10 percent impairment rating.

5. Respondent has controverted claimant's entitlement to all unpaid indemnity benefits.

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.

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). 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)(2) (Repl. 2002).

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

PHILIP A. HOOD, Commissioner

Commissioner McKinney dissents.