

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F508009

JOHN HALL, III, EMPLOYEE	CLAIMANT
SOUTHWEST STEEL PROCESSING, EMPLOYER	RESPONDENT NO. 1
LIBERTY MUTUAL FIRE INSURANCE, CARRIER	RESPONDENT NO. 1
DEATH & PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 2

**OPINION FILED OCTOBER 17, 2007**

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

Claimant represented by HONORABLE JAMES A. McLARTY, III, Attorney at Law, Newport, Arkansas.

Respondent No. 1 represented by HONORABLE MICHAEL E. RYBURN, Attorney at Law, Little Rock, Arkansas.

Respondent No. 2 represented by HONORABLE JUDY RUDD, Attorney at Law, Little Rock, Arkansas, did not appear.

Decision of Administrative Law Judge: Affirmed and Adopted.

**OPINION AND ORDER**

Respondent No. 1 appeals from a decision of the Administrative Law Judge filed May 30, 2007.

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

1. The Arkansas Workers' Compensation Commission has jurisdiction over this claim.
2. The stipulations agreed to by the parties are hereby accepted as fact.
3. The claimant has failed to prove, by a preponderance of the credible evidence, that he is permanently and totally disabled within the meaning of the Arkansas workers' compensation laws. Accordingly, respondent #2, the Death and Permanent Total Disability Trust Fund, has no liability in this claim.
4. The claimant has proven, by a preponderance of the evidence, that he sustained a six percent (6%) whole body impairment as the result of his admitted, compensable injury.
5. The claimant sustained a wage-loss disability in the amount of fifty percent (50%) to the body as a whole for an overall permanent partial disability of fifty-six percent (56%) to the body as a whole resulting from his compensable injury.
6. The claimant has proven, by a preponderance of the credible evidence, that the major cause of his impairment and disability is his compensable left shoulder injury.

7. Claimant's attorney is entitled to the maximum statutory attorney's fee on any permanent disability benefits awarded.

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.

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OLAN W. REEVES, Chairman

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PHILIP A. HOOD, Commissioner

Commissioner McKinney dissents.