

# NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. E406229

EDDIE MOSLEY,  
EMPLOYEE

CLAIMANT

CLOUD OAK FLOORING CO., INC.,  
EMPLOYER

RESPONDENT

LUMBER MUTUAL INSURANCE CO.,  
INSURANCE CARRIER

RESPONDENT

OPINION FILED JULY 25, 2007

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

Claimant appears pro se.

Respondents represented by the HONORABLE MELISSA WOOD,  
Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and  
Adopted.

## OPINION AND ORDER

Claimant appeals an opinion and order of the  
Administrative Law Judge filed November 27, 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. The employee/employer/carrier relationship  
existed between the parties on April 5, 1994,  
and at all other relevant times.
3. That claimant sustained a compensable low  
back injury on April 5, 1994.

4. Two years from the date of injury would have been April 5, 1996.

5. No benefits were paid by respondents after November 9, 1995.

6. One year from the last payment of benefits would have been November 9, 1996.

7. Based on the preponderance of the evidence, I find that the claim for additional temporary benefits and medical benefits after the date of the April, 20, 1995 hearing is barred by the applicable statute of limitations.

8. That the Arkansas Workers' Compensation Commission Opinion and Arkansas Court of Appeals opinion constitute the law of the case and all stipulations and findings set out in these opinions are res judicata on the issue as the end of claimant's healing period on December 19, 1994, and whether claimant was entitled to reasonable and necessary medical treatment from his authorized physician, Dr. Rutherford. Any claim for additional temporary total disability benefits after December 19, 1994, related to the compensable injury is precisely the claim for benefits at issue in the prior decision and is barred by res judicata.

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.

Therefore we affirm and adopt the November 27, 2006 decision of the Administrative Law Judge, including all findings and conclusions therein, as the decision of the Full Commission on appeal.

IT IS SO ORDERED.

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OLAN W. REEVES, Chairman

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KAREN H. McKINNEY, Commissioner

Commissioner Hood dissents.