

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F403762

EDMOND BOOKER (DEC'D.), EMPLOYEE	CLAIMANT
DELORIS YOUNG (GRANDMOTHER) GUARDIAN OF JAMARCUS HUGHES	CLAIMANT
TAMMY HUGHES (AUNT) GUARDIAN OF KIARA HUGHES	CLAIMANT
DEBRA COLEMAN (MOTHER) GUARDIAN OF JEROMONE D. BOOKER AND AALIYAH L. BOOKER	CLAIMANT
CITY OF HELENA, EMPLOYER	RESPONDENT NO. 1
ARKANSAS MUNICIPAL LEAGUE, INSURANCE CARRIER	RESPONDENT NO. 1
DEATH & PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 2

OPINION FILED MAY 13, 2008

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

Claimants, Deloris Young and Tammy Hughes, represented
by the HONORABLE ED SCHIEFFLER, Attorney at Law, West
Helena, Arkansas.

Claimants, Debra Coleman and Edmond Booker (Dec'd.),
represented by the HONORABLE DONALD KNAPP, Attorney at
Law, Helena, Arkansas.

Respondents No. 1 represented by the HONORABLE CHRIS
BRADLEY, Attorney at Law, North Little Rock, Arkansas.

Respondent No. 2 represented by the HONORABLE JUDY RUDD,
Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and
Adopted.

OPINION AND ORDER

Respondents No. 1 appeal an opinion and order of the Administrative Law Judge filed December 31, 2007, 2007. 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 in which the relationship of employer-employee-carrier existed among the parties on March 28, 2004, at which time the decedent was earning sufficient wages to entitle him to a compensation rate of \$225.00.
2. The Claimants have proven by a preponderance of the credible evidence of record that the decedent sustained a compensable heart attack as defined by Ark. Code Ann. § 11-9-411.
3. Respondent No. 1, the Municipal League, is directed to pay all reasonable and necessary medical expenses within thirty days pursuant to Commission Rule 30.
4. Respondent No. 1, the Municipal League, is directed to pay dependency benefits pursuant to Ark. Code Ann. § 11-9-527.
5. Respondent No. 2, the Fund, is directed to pay dependency benefits pursuant to Ark. Code Ann. § 11-9-527 to the minor children.
6. Respondent No. 1, the Municipal League is directed to pay attorney's fees pursuant to Ark. Code Ann. § 11-9-715.
7. Respondent No. 1, the Municipal League is directed to pay the court reporter's fees and expenses pursuant to Commission Rule 20.

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 December 31, 2007, 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).

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

PHILIP A. HOOD, Commissioner

Commissioner McKinney dissents.