

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F613798

LISA HARTGRAVES, EMPLOYEE	CLAIMANT
KLEIN TOOLS, INC., EMPLOYER	RESPONDENT
ALTERNATIVE SERVICE CONCEPTS, CARRIER	RESPONDENT

OPINION FILED MARCH 17, 2008

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 MICHAEL WHITE, Attorney at Law, North Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

The respondents appeal and claimant cross-appeals from a decision of the Administrative Law Judge filed July 19, 2007.

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

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

2. On March 16, 2006, the relationship of employee-employer-carrier existed between the parties.

3. The claimant sustained a compensable injury to her right shoulder on March 16, 2006.

4. Medical expenses have been paid.

5. The claimant is entitled to a weekly compensation rate of \$327.00 for temporary total disability and \$245.00 for permanent partial disability.

6. The claimant has failed to prove by a preponderance of the evidence that she is entitled to temporary partial disability from April 3, 2006, through May 25, 2006, and then from August 10, 2006, to November 14, 2006.

7. The claimant has proven by a preponderance of the evidence that she is entitled to temporary total disability from November 15, 2006, to May 22, 2007.

8. The respondents have controverted this claimant's entitlement to temporary total disability.

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 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).

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IT IS SO ORDERED.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

PHILIP A. HOOD, Commissioner