

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F303334

VINCENT HENDERSON, EMPLOYEE

CLAIMANT

COOPER TIRE & RUBBER CO.  
A SELF-INSURED EMPLOYER

RESPONDENT

**OPINION FILED JUNE 11, 2008**

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

Claimant is not represented by counsel but appears *pro se*.

Respondent represented by HONORABLE WILLIAM G. BULLOCK,  
Attorney at Law, Texarkana, Texas.

Decision of Administrative Law Judge: Affirmed and Adopted.

**OPINION AND ORDER**

The claimant appeals from a decision of the  
Administrative Law Judge filed June 20, 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) The stipulations agreed to by the parties are reasonable and are hereby accepted as fact.

3) The claimant has failed to prove by a preponderance of the evidence that he sustained a compensable mental injury or illness pursuant to A.C.A. §11-9-113.

4) The claimant has failed to prove by a preponderance of the evidence that he is unable, because of his compensable left upper extremity injury, to earn any meaningful wages in the same or other employment.

5) The claimant has, therefore, failed to prove that he is permanently and totally disabled.

6) The claimant has failed to prove by a preponderance of the evidence that he is entitled to one year of lost wages pursuant to A.C.A. §11-9-505(a).

7) The claimant has failed to prove by a preponderance of the evidence entitlement to additional medical benefits related to his compensable left upper extremity injury.

8) The documents contained in claimant's proffered Exhibit "2" violated the Commission's seven (7) day rule outlined in the 1/19/07 Prehearing Order, and are therefore not admissible as evidence to be considered for the purpose of this opinion.

9) Based on the above findings of fact and conclusions of law, issues 5, 6, 7 & 8 outlined herein are rendered moot.

The claimant alleges that he sustained a compensable injury that is governed by the Arkansas Workers' Compensation Act, A.C.A. § 11-9-101 et seq. The claimant's alleged injury is, indeed, an injury that is covered by the Act; however, the claimant has failed to establish the elements necessary to prove a compensable injury by a preponderance of the evidence.

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.

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IT IS SO ORDERED.

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OLAN W. REEVES, Chairman

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KAREN H. MCKINNEY, Commissioner

Commissioner Hood dissents.