

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F101366

KENNETH M. ADAMS, EMPLOYEE	CLAIMANT
PACE INDUSTRIES, EMPLOYER	RESPONDENT
CAMBRIDGE INTEGRATED SERVICES, INSURANCE CARRIER	RESPONDENT

OPINION FILED AUGUST 19, 2009

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

Claimant represented by the HONORABLE FREDERICK "RICK" SPENCER, Attorney at Law, Mountain Home, Arkansas.

Respondent represented by the HONORABLE JAMES D. SPROTT, Attorney at Law, Harrison, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals from a decision of the Administrative Law Judge filed January 8, 2009.

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

1. The Arkansas Workers' Compensation Commission has jurisdiction of the within claim.
2. The employee-employer relationship existed at all relevant times, including December 26, 2000.

3. The claimant suffered a compensable neck injury on December 26, 2000.
4. Claimant's average weekly wage at the time of the injury was \$536.60; therefore claimant is entitled to a temporary total disability rate of \$358.00, and a permanent partial disability rate of \$268.00.
5. The Opinion of Administrative Law Judge Chandra Hicks dated July 9, 2007 is the law of the case.
6. The Opinion of Administrative Law Judge Mark Chuchwell dated February 18, 2004 is the law of the case.
7. This claim for additional medical benefits is barred by the statute of limitations.
8. The issue of permanency is reserved.

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.

IT IS SO ORDERED.

A. WATSON BELL, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Hood dissents.