

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F308870

HOWARD R. CHRISTOFFERS, EMPLOYEE	CLAIMANT
PACE INDUSTRIES, INC., EMPLOYER	RESPONDENT
LUMBERMEN'S MUTUAL CASUALTY CO., INSURANCE CARRIER/TPA	RESPONDENT

**OPINION FILED NOVEMBER 30, 2009**

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

Claimant represented by the HONORABLE FREDERICK S. "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 May 14, 2009.

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

1. The Arkansas Workers' Compensation Commission has jurisdiction over this claim.
2. The stipulations set forth above are reasonable and are hereby accepted.

3. The Arkansas Workers' Compensation Act is constitutional.
4. Claimant has not proven by a preponderance of the evidence that his cubital tunnel syndrome is compensable.
5. Because of the above finding, claimant has not proven by a preponderance of the evidence that he is entitled to reasonable and necessary treatment of his cubital tunnel syndrome.
6. Claimant has not proven by a preponderance of the evidence that he is entitled to additional treatment of his carpal tunnel syndrome, to include a second carpal tunnel release.

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.

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A. WATSON BELL, Chairman

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KAREN H. MCKINNEY, Commissioner

Commissioner Hood dissents.