

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F802197

RACQUAL L. CONNER, EMPLOYEE

CLAIMANT

CHARLES JACOBS,  
d/b/a/ JACOB'S CHAMPIONS, INC.,  
UNINSURED EMPLOYER

RESPONDENT

OPINION FILED DECEMBER 11, 2009

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

Claimant represented by HONORABLE MANDY MEADORS AND HONORABLE JAMES W. HARRIS, Attorneys at Law, Blytheville, Arkansas.

Respondent appeared *pro se*.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals from a decision of the Administrative Law Judge filed June 9, 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 limited stipulations agreed to by the parties are hereby accepted as fact.
3. At the time of her injury, on or about March 7, 2006, the claimant was engaged in the selling or offering for sale to the general public magazine subscriptions, books, and

educational products and/or acting as a sales agent for the respondent herein, authorized to solicit and obtain orders for magazine subscriptions and products which is an exempted employment under Ark. Code Ann. §11-9-102(11) (A) (vii) (Repl.2002).

4. Because of the above finding, the balance of the issues are moot and will not be fully discussed herein.
5. In the event the claimant's employment is not an excepted employment as defined by A.C.A. §11-9-102(11) (A) (vii) (Repl.2002), which is inconsistent with the findings reached herein, I do find that a preponderance of the credible evidence would support the claimant's contentions that she was an employee rather than an independent contractor at the time of her admitted injury and that respondent had the requisite number of similar employees to come within the jurisdiction of the act.
6. Respondent has controverted this claim in its entirety for purposes of attorney's fees.

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

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PHILIP A. HOOD, Commissioner