

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F308154 & F310821

JOE A. AUSTIN, EMPLOYEE	CLAIMANT
EATON CORPORATION, EMPLOYER	RESPONDENT NO. 1
OLD REPUBLIC INSURANCE, CARRIER	RESPONDENT NO. 1
SECOND INJURY FUND	RESPONDENT NO. 2
DEATH & PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 3

OPINION FILED JANUARY 6, 2010

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

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

Respondents No. 1 represented by HONORABLE WILLIAM C. FRYE, Attorney at Law, North Little Rock, Arkansas.

Respondent No. 2 represented by HONORABLE ROBERT RODDY, Attorney at Law, Little Rock, Arkansas.

Respondent No. 3 represented by HONORABLE CHRISTY KING, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals from a decision of the Administrative Law Judge filed January 14, 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 claim.
2. The employee-employer-carrier relationship existed at all relevant times, including May 22, 2003, and June 30, 2003.
3. The claimant sustained a compensable injury on May 22, 2003, in the form of an external head injury.
4. The claim was handled as a medical claim only.
5. All other benefits have been controverted.
6. Claimant's compensation rates are \$440.00 for temporary total disability and \$330.00 for permanent partial disability.
7. The claimant has failed to establish by a preponderance of the evidence that he suffered a bilateral carpal tunnel syndrome injury during and in the course of his employment with the respondent-employer.
8. The claimant has failed to prove by a preponderance of the credible evidence that additional medical treatment (cognitive) is causally related to his external head injury.
9. The claimant failed to establish by a preponderance of the evidence his entitlement to temporary total disability compensation from August 22, 2003 until August 5, 2004.
10. The claimant failed to prove his entitlement to any permanent physical impairment as a result of his compensable external head injury.
11. The claimant failed to prove by a preponderance of the evidence that he was

rendered permanently and totally disabled as a result of his compensable head injury.

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.