

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. F906709

JASON CRUCE (DECEASED), EMPLOYEE	CLAIMANT
RASMUSSEN GROUP, INC., EMPLOYER	RESPONDENT NO. 1
ARCH INSURANCE COMPANY/ GALLAGHER BASSETT SERVICES (TPA), INSURANCE CARRIER	RESPONDENT NO. 1
DEATH AND PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 2

OPINION FILED AUGUST 9, 2010

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

Claimant represented by the HONORABLE MARK ALLEN PEOPLES,
Attorney at Law, Little Rock, Arkansas.

Respondents No. 1 represented by the HONORABLE ROBERT J.
DONOVAN, Attorney at Law, Marianna, Arkansas.

Respondent No. 2 represented by the HONORABLE DAVID L. PAKE,
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 April 27, 2010.

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 employer/employee/carrier relationship existed on or about July 27, 2009, when the claimant sustained a fatal injury arising out of and in the course of his employment with respondent employer.
3. The claimant's average weekly wage was \$960.59.
4. The dependency benefit of \$480.00 has been accepted and is being paid to Kyhlee Cruce, the claimant's dependent child.
5. The preponderance of the evidence demonstrates that the Respondents did not fully or partially controvert the payment of the dependency benefits in excess of \$243.00 per week.
6. Claimant's attorney has rendered bona fide legal services on behalf of the claimant. Based on the nature, length, and complexity of the services performed, the claimant is entitled to an attorney's fee of \$1000.00, which shall be withheld from the disability benefits payable to the dependent of Jason Cruce pursuant to Ark. Code Ann. § 11-9-715 (a) (1) (C) (i).

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

PHILIP A. HOOD, Commissioner