

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F612891

RONALD FLETCHER, EMPLOYEE	CLAIMANT
HOFFINGER INDUSTRIES, INC., EMPLOYER	RESPONDENT
INSURANCE COMPANY OF THE WEST/ NOVAPRO RISK SOLUTIONS, INSURANCE CARRIER/TPA	RESPONDENT

OPINION FILED OCTOBER 12, 2010

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

Claimant represented by the HONORABLE KRISTOPHER E. RICHARDSON, Attorney at Law, Jonesboro, Arkansas.

Respondent represented by the HONORABLE MARK MAYFIELD, Attorney at Law, Jonesboro, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals from a decision of the Administrative Law Judge filed April 2, 2010.

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

1. The Workers' Compensation Commission has jurisdiction of this claim in which the relationship of employer/employee/carrier existed among the parties on November 9, 2006, when the claimant sustained a

compensable back injury. An AR-C was filed December 15, 2006. Benefits were paid until September 8, 2007.

2. The claimant sustained an injury in January, 2009, and requested additional benefits. This claim is barred by the statute of limitations pursuant to Ark. Code Ann. § 11-9-702.

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

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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.