

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F603594

ROBERT MAULDING, EMPLOYEE	CLAIMANT
PRICES UTILITY CONTRACTORS, INC., EMPLOYER	RESPONDENT NO. 1
CINCINNATI INDEMNITY COMPANY, INSURANCE CARRIER	RESPONDENT NO. 1
SECOND INJURY FUND	RESPONDENT NO. 2
DEATH & PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 3

ORDER FILED MAY 17, 2010

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

Claimant represented by the HONORABLE DIANA M. MAULDING,  
Attorney at Law, Little Rock, Arkansas.

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

Respondent No. 2 represented by the HONORABLE DAVID PAKE,  
Attorney at Law, Little Rock, Arkansas.

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

ORDER

The claimant has filed a motion for an award of  
attorney's fees. The Full Commission grants the claimant's  
motion in part.

An administrative law judge filed an opinion on December 12, 2007. The administrative law judge found, among other things, that the claimant had sustained wage-loss disability in the amount of 25%. Respondent No. 1 appealed to the Full Commission. The Full Commission affirmed and adopted the administrative law judge's decision in an opinion filed October 27, 2008. The Arkansas Court of Appeals affirmed the Commission on direct appeal and cross-appeal. *Maulding v. Price's Utility Contractors*, 2009 Ark. App. 226 (Nov. 18, 2009).

For prevailing on Respondent No. 1's appeal to the Full Commission, the claimant's attorney is entitled to an additional fee of five hundred dollars (\$500), in accordance with Ark. Code Ann. §11-9-715(b) (Repl. 2002). Respondents No. 2 and No. 3 are not liable for an attorney's fee in the present matter. The claimant must file a motion with the Court of Appeals in order to receive an additional fee for prevailing at the appellate court level. See *City of Little Rock v. Hudson*, CA07-405 (Ark. App. Nov. 28, 2007); *Belcher v. Holiday Inn*, 50 Ark. App. 148, 900 S.W.2d 215 (1995).

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