

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F207424

MARVIN McDADE, EMPLOYEE	CLAIMANT
H & T TRUSS MILL, INC., EMPLOYER	RESPONDENT
VALLEY FORGE INSURANCE COMPANY, INSURANCE CARRIER	RESPONDENT

ORDER FILED JANUARY 14, 2010

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

Claimant appeared pro se.

Respondent represented by the HONORABLE CAROL L. WORLEY, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed and Adopted.

NUNC PRO TUNC ORDER

The Full Commission, on its own motion, finds that clerical errors exist in the Opinion and Order filed January 11, 2010. The Opinion and Order inadvertently omitted the Administrative Law Judge's finding regarding the statute of limitations. The Opinion and Order also contained language regarding compensability, an issue not before the Commission. The Full Commission is authorized to correct clerical errors and this is a proper case for exercise of that authority. Ark. Code Ann. §11-9-713 (d) (Repl. 1996).

The Full Commission finds that the Opinion and Order should contain the following finding:

5. The statute of limitations bars the claim for additional benefits.

The Full Commission finds that the Opinion and Order should not contain the following language:

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.

The Opinion and Order filed on January 11, 2010, is hereby modified only to insert the statute of limitations finding and to omit the compensability language. In all other respects, the Opinion and Order shall remain the same and shall not be otherwise affected.

IT IS SO ORDERED.

A. WATSON BELL, Chairman

KAREN H. MCKINNEY, Commissioner

PHILIP A. HOOD, Commissioner