

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F707823

ALBERTO OLVERA (DECEASED), EMPLOYEE	CLAIMANT
WHITE OAK CONSTRUCTION, INC., EMPLOYER	RESPONDENT NO. 1
AMERICAN INTERSTATE INSURANCE COMPANY, INSURANCE CARRIER/TPA	RESPONDENT NO. 1
DEATH AND PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 2

ORDER FILED NOVEMBER 16, 2010

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

Claimant represented by the HONORABLE GARY DAVIS, Attorney at Law, Little Rock, Arkansas.

Respondent No. 1 represented by the HONORABLE MICHAEL RYBURN Attorney at Law, Little Rock, Arkansas

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

ORDER

This matter comes on for review before the Commission on respondent's Motion to File a Belated Brief in its appeal from an opinion by an Administrative Law Judge.

Respondent did not file their initial brief on appeal to the Full Commission on time. They now request permission to file it outside the time. The claimant has indicated that there

is no objection to the filing of a belated brief. Although not required to, this Commission has accepted belated briefs on many occasions when the opposing party has no objection. See, Sigmon v. Masonry, Full Commission Opinion, July 31, 2008; Jackson v. Pulaski County Special School Dist., Full Commission Opinion, October 13, 2009; Ragsdale v. LVL, Inc., Full Commission Opinion, April 13, 2010.

After our consideration of respondent's motion, the claimant's lack of objection thereto, and all other matters properly before the Commission, we find that respondent's motion should be granted. The Clerk of the Commission is hereby authorized to accept the late filing of respondent's brief.

\_\_\_\_\_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