

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F906934

DONALD SIERS, EMPLOYEE	CLAIMANT
C. BEAN TRANSPORT, EMPLOYER	RESPONDENT
TRUCK INSURANCE EXCHANGE, INSURANCE CARRIER/TPA	RESPONDENT

**OPINION FILED NOVEMBER 19, 2010**

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

Claimant represented by the HONORABLE RANDOLPH SHOCK,  
Attorney at Law, Fort Smith, Arkansas.

Respondent represented by the HONORABLE JASON LEE, 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 July 14, 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. On all relevant dates in May, June, and July of 2009, the relationship

of employee-employer-carrier existed between the parties.

3. On all relevant dates, the claimant earned wages sufficient to entitle him to weekly compensation benefits of \$542.00 for total disability and \$407.00 for permanent partial disability, should such benefits have been applicable.
4. The claimant has failed to prove by the greater weight of the credible evidence that he sustained compensable injuries to either of his lower extremities between May of 2009 and July 13, 2009. Specifically, the claimant has failed to establish by medical evidence, which is supported by objective findings, the actual existence of any physical injury or damage to his left leg or lower extremity, as required by Ark. Code Ann. §11-9-102(4)(D). The claimant has further failed to prove by the greater weight of the credible evidence the likely existence of a causal relationship between his employment with this respondent and the medically established and objectively supported physical damage to his right leg, in the form of a DVT or deep vein thrombosis.
5. The respondents have denied the occurrence of any compensable injuries to the claimant's legs or lower extremities and have controverted this claim in its entirety.

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 Administrative Law Judge, including all findings and conclusions therein, as the decision of the Full Commission on appeal.

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IT IS SO ORDERED.

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A. WATSON BELL, Chairman

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KAREN H. MCKINNEY, Commissioner

Commissioner Hood dissents.