

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. F811408

CYNTHIA GRADY, WIDOW OF DENNIS J. GRADY, JR.,
AND JEREMY GRADY, SURVIVING MINOR SON OF
DENNIS J. GRADY, JR. (DECEASED) CLAIMANTS

ESTATE OF CARLIE SMITH,
UNINSURED RESPONDENT NO. 1

NOAH GRADY, D/B/A BUNKER HILL GOLF
COURSE, UNINSURED RESPONDENT NO. 2

PORCHIE GRADY, D/B/A BUNKER HILL GOLF
COURSE, (UNINSURED) RESPONDENT NO. 3

OPINION FILED JANUARY 3, 2011

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

Claimant represented by the HONORABLE MICHAEL HAMBY, Attorney at
Law, Greenwood, Arkansas.

Respondent No. 1 represented by the HONORABLE JIM L. JULIAN,
Attorney at Law, Little Rock, Arkansas.

Respondent No. 2 appeared *pro se*.

Respondent No. 3 appeared *pro se*.

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals from a decision of the Administrative
Law Judge filed July 28, 2010.

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

1. There was a May 9, 2007, fatality.
2. The Arkansas Workers' Compensation Commission has jurisdiction of this claim.
3. The decedent's estate has proven by a preponderance of the evidence that the decedent was an employee and not an independent contractor.
4. The preponderance of the evidence provides that the estate of Carlie Smith, Respondent No. 1, should be dismissed from this claim.
5. The preponderance of the evidence provides that the principals in the Bunker Hill Golf Course, LLC, were Noah Grady (Respondent No. 2) and Porchie Grady (Respondent No. 3) and the Bunker Hill Golf Course, LLC, is the employer in this matter.
6. The respondent employers are uninsured.
7. The decedent's estate has proven by a preponderance of the evidence that the decedent was performing employment services at the time of his compensable fatal injury.
8. Respondents Nos. 2 and 3 are responsible for the costs for reporting the claim. Arkansas Workers' Compensation Commission Rule 099.20.

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.

IT IS SO ORDERED.

A. WATSON BELL, Chairman

KAREN H. MCKINNEY, Commissioner

PHILIP A. HOOD, Commissioner