

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. E306806

JOHN O'HARA, EMPLOYEE	CLAIMANT
J. CHRISTY CONSTRUCTION CO., INC., EMPLOYER	RESPONDENT NO. 1
TRAVELERS CASUALTY & SURETY CO., INSURANCE CARRIER	RESPONDENT NO. 1
DEATH & PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 2

ORDER FILED MAY 23, 2011

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

Claimant represented by the HONORABLE FLOYD M. THOMAS, JR.,
Attorney at Law, El Dorado, Arkansas.

Respondents No. 1 represented by the HONORABLE BETTY J.
HARDY, Attorney at Law, Little Rock, Arkansas.

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

ORDER

Respondent No. 2 moves the Full Commission to "strike
letter brief of claimant." The Full Commission denies the
motion.

An administrative law judge filed an opinion on March
4, 2011. The administrative law found, among other things,
that Respondent No. 2 should not be required to make a lump-

sum payment. The claimant filed a notice of appeal to the Full Commission, and a Legal Services Specialist with the Clerk of the Commission notified the parties regarding a briefing schedule. The claimant did not file a brief on or before the due date but instead informed the Legal Services Specialist in part, "The case has been well briefed by all parties. There is no need to burden the record with additional briefs." Respondent No. 2 states in its brief, "The Trust Fund has no additional argument to make and will rely on the March 4, 2011, Opinion of the Administrative Law Judge."

The Full Commission denies Respondent No. 2's "motion to strike letter brief of claimant." We direct the Clerk of the Commission to place this matter on our submission docket, so that the Full Commission can perform a *de novo* review and adjudicate this claim based on the appropriate law and the relevant issues before us.

IT IS SO ORDERED.

A. WATSON BELL, Chairman

KAREN H. McKINNEY, Commissioner

PHILIP A. HOOD, Commissioner