

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. F509359

FELICIA TURNER, EMPLOYEE	CLAIMANT
PEABODY HOTEL, EMPLOYER	RESPONDENT
TRAVELERS INSURANCE COMPANY, CARRIER/TPA	RESPONDENT

OPINION FILED APRIL 11, 2011

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

Claimant represented by the HONORABLE SIMMONS SMITH, Attorney at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE MICHAEL RYBURN, 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 November 2, 2011.

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

1. The Arkansas Workers' Compensation Commission has jurisdiction.
2. The employee/employer/carrier relationship existed on or about August 5, 2005.
3. The claimant has failed to establish by a preponderance of the evidence that she sustained a compensable injury.

4. The claimant's claim for additional benefits is barred by the applicable statute of limitations.

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

Commissioner Hood concurs.

CONCURRING OPINION

After my de novo review of the entire record, I must regretfully concur with the majority opinion. I am constrained to find that the statute of limitations bars this claim, through

no fault of the claimant. The claimant completed a claim for benefits in the office of her attorney, Larry Dunklin, upon whom she relied to timely file with the Commission. However, Dunklin failed to timely file the claim.

For the foregoing reasons, I must respectfully concur with the majority opinion.

PHILIP A. HOOD, Commissioner