

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. G506822

SAYEL MOHAMMED (DEC'D), EMPLOYEE	CLAIMANT
MAVERICK TRANSPORTATION, EMPLOYER	RESPONDENT NO. 1
CORVEL ENTERPISE COMP, INC., INSURANCE CARRIER/TPA	RESPONDENT NO. 1
DEATH & PERMANENT TOTAL DISABILITY TRUST FUND	RESPONDENT NO. 2

OPINION FILED MAY 7, 2024

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.

Respondents No. 1 represented by the HONORABLE DAVID C. JONES, Attorney at Law, Little Rock, Arkansas.

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

Decision of Administrative Law Judge: Affirmed and Adopted.

OPINION AND ORDER

Claimant appeals an opinion and order of the Administrative Law Judge filed November 14, 2023. In said order, the Administrative Law Judge made the following findings of fact and conclusions of law:

1. The Arkansas Workers' Compensation Commission has jurisdiction over this claim.

2. That an employer/employee relationship existed on or about September 9, 2015, when Sayel Mohammed sustained a compensable injury resulting in his death.
3. At the time of the injury, Sayel Mohammed earned an average weekly wage of \$1,100.13.
4. On September 9, 2015, Sayel Mohammed was married to Krystle Martish.
5. On September 24, 2015, the carrier filed an Amended AR-2, accepting the compensability of the claim.
6. On March 28, 2017, Krystle Martish filed an AR-C for widow's benefits in Arkansas.
7. The respondent/carrier paid funeral expenses.
8. On August 4, 2017, Krystle Martish filed a request for voluntary dismissal of her claim.
9. On August 8, 2017, the parents of Sayel Mohammed filed an AR-C, claiming rights to parental survivor benefits arising out of the death of their son on September 9, 2015.
10. On November 13, 2017, an Order of Dismissal of the claim filed by Krystle Martish was entered.
11. That the parents of the decedent, Yaha I Mohammed and Yursa Yameen Salama, have failed to satisfy the required burden of proof to show that they are entitled to partial dependency death benefits pursuant to Ark. Code Ann. § 11-9-111 and Ark. Code Ann. §11-9-527.
12. The question of attorney fees is moot.

13. If not already paid, the respondents are ordered to pay for the cost of the transcript forthwith.

We have carefully conducted a *de novo* review of the entire record herein and it is our opinion that the Administrative Law Judge's November 14, 2023 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.

Therefore 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.

SCOTTY DALE DOUTHIT, Chairman

M. SCOTT WILLHITE, Commissioner

MICHAEL R. MAYTON, Commissioner