

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. UE-2021-08-028-EB

IN THE MATTER OF:
JILL WILES, INDIVIDUALLY and
d/b/a OZARK ADULT PERSONAL CARE, LLC
1234 EAST MAIN STREET
MELBOURNE, AR 72560

OPINION FILED DECEMBER 5, 2023

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

Claimant represented by the HONORABLE JAMES M. SCURLOCK, ANDREW J. RUSSELL & JAY MARTIN, Attorneys at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE DAVID L. PAKE, Attorney at Law, Little Rock, Arkansas.

Decision of Administrative Law Judge: Affirmed & Adopted.

OPINION AND ORDER

Jill Wiles, d/b/a Ozark Adult Personal Care, LLC, appeals an administrative law judge's opinion filed February 16, 2023. The Operations & Compliance Division cross-appeals the administrative law judge's opinion. The administrative law judge ordered, "Pursuant to Ark. Code Ann. §11-9-406(a), Jill Wiles, individually, and d/b/a Ozark Adult Personal Care, LLC., is hereby directed and ordered to pay Ten Thousand Dollars (\$10,000.00), endorsed to the Death and Permanent Total Disability Trust Fund, c/o Arkansas Workers' Compensation Commission, Post Office Box

950, Little Rock, Arkansas, 72203-0950. Said penalty is to be paid within thirty (30) days.”

After reviewing the entire record *de novo*, it is our opinion that the administrative law judge’s decision is supported by a preponderance of the evidence, correctly applies the law, and should be affirmed. We therefore find that the administrative law judge’s findings of fact are correct and are adopted by the Full Commission.

The Full Commission grants the cross-appellant’s motion to strike the appellant’s reply brief. The RECITATION OF ESTABLISHED FACTS AND INFERENCES in the appellant’s reply brief is not corroborated by any probative evidence of record and is not relevant to the issues the parties agreed to litigate in the hearing held before an administrative law judge on July 29, 2022. The Full Commission also denies the appellant’s motion for sanctions.

We therefore affirm and adopt the administrative law judge’s February 16, 2023 decision, including all findings of fact and conclusions of law therein, as the Full Commission’s decision on appeal and cross-appeal.

IT IS SO ORDERED.

SCOTTY DALE DOUTHIT, Chairman

M. SCOTT WILLHITE, Commissioner

MICHAEL R. MAYTON, Commissioner