

NOT DESIGNATED FOR PUBLICATION

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H305153

RICKY SMITH, EMPLOYEE CLAIMANT

ARKANSAS DEPARTMENT OF TRANSPORTATION,
EMPLOYER RESPONDENT

PUBLIC EMPLOYEE CLAIMS DIVISION,
INSURANCE CARRIER/TPA RESPONDENT

OPINION FILED AUGUST 21, 2024

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

Claimant is *Pro Se*.

Respondents represented by the HONORABLE ROBERT H. MONTGOMERY, 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 May 24, 2024. 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. The stipulations set forth above are reasonable and are hereby accepted.
3. Claimant has not proven by a preponderance of the evidence that the instant claim for initial benefits was timely filed. Instead, the

evidence preponderates that it is barred by the statute of limitations set forth in Ark. Code Ann. § 11-9-702(a)(1) (Repl. 2012).

4. Because of the above finding, the remaining issues—whether Claimant sustained compensable injuries to his neck, back, shoulders, chest, and arms by specific incident, when did he provide notice of his alleged injuries, whether he is entitled to reasonable and necessary medical treatment of his alleged injuries, whether he is entitled to temporary total disability benefits, and whether Respondents are entitled to an offset—are moot and will not be addressed.

We have carefully conducted a *de novo* review of the entire record herein and it is our opinion that the Administrative Law Judge's May 24, 2024 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