

**NOT DESIGNATED FOR PUBLICATION**

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H303954

MYIA M. WOODS, EMPLOYEE CLAIMANT

CITY OF LITTLE ROCK, EMPLOYER RESPONDENT

CADENCE INSURANCE COMPANY/RISK  
MANAGEMENT SERVICES, CARRIER/TPA RESPONDENT

OPINION FILED SEPTEMBER 18, 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 represented by the HONORABLE MELISSA WOOD, 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 June 25, 2024. In said order, the Administrative Law Judge made the following findings of fact and conclusions of law:

1. The AWCC has jurisdiction over this claim.
2. The previously noted stipulations are accepted as fact.
3. The claimant failed to prove by a preponderance of the evidence that she is entitled to TTD benefits for any period.

4. Absent an award of benefits, the claimant is not entitled to attorney's fees.

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.

Therefore, we affirm and adopt the June 25, 2024 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

---

MICHAEL R. MAYTON, Commissioner

Commissioner Willhite concurs.

CONCURRING OPINION

After my *de novo* review of the entire record, I concur with the majority opinion finding that the Claimant failed to prove by a preponderance of the evidence that she is entitled to temporary total

disability benefits for any period. I write separately for the benefit of the Claimant.

While Claimant did sustain a compensable injury to her left knee and lower back, there does not appear to be sufficient evidence in the record that Claimant has met her burden of proof to establish entitlement to temporary total disability under Ark. Code Ann. § 11-9-521(a) or *Ark. State Hwy. Dept v. Breshears*, 272 Ark. 244, 613S.W.2d 392 (1981). There is only equivocal evidence in the record that Claimant's physician restricted her ability to work because of her compensable injuries after April 15, 2022. Claimant continued to work for Respondent until July 13, 2023, well after her medical release for her injuries on April 15, 2022. Nor does any physician opine that Claimant's lumbosacral spondylosis is related to her compensable lower back injury. While Dr. Suarez does say that the Claimant "should remain out of work," this letter does not relay any details which were considered in arriving at this conclusion. Thus, I cannot say that the evidence in the record is sufficient to entitle Claimant to temporary total disability benefits for any period.

For the foregoing reason, I concur with the majority opinion.

---

M. SCOTT WILLHITE, Commissioner