

Cite as 2009 Ark. App. 798

ARKANSAS COURT OF APPEALS

DIVISION II

No. CA09-406

RONNY L. TRIMBLE

APPELLANT

V.

NORTH PACIFIC GROUP, INC.

APPELLEE

Opinion Delivered December 2, 2009APPEAL FROM THE ARKANSAS
WORKERS' COMPENSATION
COMMISSION [NO. F313011]

AFFIRMED

JOHN MAUZY PITTMAN, Judge

This workers' compensation case involves a claimant who was treated for many years for a compensable right-knee injury, and who much later claimed a compensable left-knee injury. The Commission denied the claim, noting that claimant-appellant's testimony was self-contradictory and that appellant had been able to construct a fair-sized building by himself between the time that he was treated for his right knee and the commencement of his claim for a left-knee injury.

Appellant argues that the evidence was insufficient because his physician's testimony regarding the origin of his left-knee injury went un rebutted. We find no error. Where, as here, the Commission has denied a claim because of the claimant's failure to meet his burden of proof, the substantial evidence standard of review requires that we affirm if the Commission's opinion displays a substantial basis for the denial of relief. *Williams v. Arkansas*

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Oak Flooring Co., 267 Ark. 810, 590 S.W.2d 328 (Ark. App. 1979). Here, the Commission found that appellant was not a credible witness, noting numerous inconsistencies and self-contradictions in his testimony. Given that the physician's opinion was based largely on the history provided by appellant, appellant's subsequent work history and self-contradictory testimony raise sufficient questions regarding his credibility to justify a finding that he failed to prove entitlement to benefits.

Because the only substantial question on appeal is the sufficiency of the evidence, and because the Commission's opinion adequately explains the decision, we affirm by memorandum opinion. *In re: Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Affirmed.

KINARD and BAKER, JJ., agree.