## NOT DESIGNATED FOR PUBLICATION

## ARKANSAS COURT OF APPEALS

DIVISION I No. CA08-325

Opinion Delivered November 5, 2008

LETESHA DEAN MORGAN

APPELLANT

V.

DELUXE VIDEO SERVICES, INC. and LIBERTY MUTUAL INSURANCE CO. APPELLEES APPEAL FROM THE ARKANSAS WORKERS' COMPENSATION COMMISSION
[Nos. F204900, F306449]

**AFFIRMED** 

## LARRY D. VAUGHT, Judge

This workers' compensation case has previously been to our court, and we reversed and remanded based on the Arkansas Workers' Compensation Commission's refusal to acknowledge objective medical evidence that established appellant Letesha Dean Morgan suffered from carpal-tunnel syndrome. On remand, the Commission again refused to award Morgan benefits based on her failure to establish a nexus between her injury and her workplace activity. We affirm the Commission's opinion.

Morgan was employed by appellee Deluxe Video, where she sustained a compensable wrist injury. After undergoing surgery for a ganglion cyst of the wrist, Morgan was unable to return to her duties at Deluxe Video and was terminated. She then obtained employment as a dental assistant and filed a second claim for benefits, alleging that she sustained carpal-tunnel syndrome from rapid and repetitive movement required by her employment at Deluxe Video.

After our court's initial review of the case, there is no longer a question as to whether Morgan sustained the injury she claimed in her second filing. Instead, the sole question on appeal is whether her carpal-tunnel injury is compensable under Arkansas's workers' compensation laws.

Our appellate charge is to review the evidence and all reasonable inferences in the light most favorable to the Commission's findings. *Geo Speciality Chem. Inc. v. Clingan*, 69 Ark. App. 369, 372, 13 S.W.3d 218, 219 (2000). Further, we must affirm the decision of the Commission if its findings are supported by substantial evidence. *Id.* We cannot rehear the case. In fact, "[e]ven where a preponderance of the evidence might indicate a contrary result, we affirm if reasonable minds could reach the Commission's conclusion." *Huffy Serv. First v. Ledbetter*, 76 Ark. App. 533, 541, 69 S.W.3d 449, 455 (2002). And as we have here, where the Commission denied benefits because the claimant failed to meet her burden of proof, the substantial-evidence standard of review requires that we affirm if the Commission's decision displays a substantial basis for the denial of relief. *Crudup v. Regal Ware, Inc.*, 341 Ark. 804, 809, 20 S.W.3d 900, 903 (2000).

After a careful review of the record in this case, we are satisfied that substantial evidence supports the Commission's conclusion that Morgan failed to prove that her carpaltunnel diagnosis is linked to her work with Deluxe Video. Under our state's law, she bears the burden of proving that her injury stemmed from her work at Deluxe Video and not from any other source. *Arnold v. Tyson Foods, Inc.*, 64 Ark. App. 245, 983 S.W.2d 444 (1998). This burden was a difficult one for Morgan to carry, particularly in light of her own doctor's statement that her carpal tunnel could have spontaneously occurred. Morgan did testify at

length about her employment with Deluxe Video, and the worsening problems with her hands. Unfortunately, this linking testimony was exclusively provided by Morgan, which the Commission was free to disbelieve, discount, or disregard entirely. *Minnesota Mining & Mfg. v. Baker*, 337 Ark. 94, 989 S.W.2d 151 (1999). And, the medical evidence compiled during Morgan's employment with Deluxe Video did not corroborate her testimony. Indeed, the Commission concluded "there were no medical reports or other documentary evidence corroborating [Morgan's] testimony that she had been suffering from gradual symptoms in both hands" while employed with Deluxe Video.

Further, she was diagnosed five months after her employment with Deluxe Video had ended. Her own physician, Dr. Marcia Hixson, remarked, "the bilateral carpal tunnel symptoms that [Morgan] is having is not related to [Morgan's ganglion cyst] injury of 4-14-02 and is probably not related to the employment at Delux (sic) Video."

While we are sympathetic to Morgan's suffering, we cannot overlook the fact she did not carry her burden in establishing the requisite nexus between her injury and her employment with Deluxe Video. As such, we affirm the Commission's denial of benefits.

Affirmed.

GLADWIN and HUNT, JJ., agree.