

ARKANSAS COURT OF APPEALS

DIVISIONS IV
 No. CA12-215

WARREN UNILUBE, INC.,
 PENNSYLVANIA MANUFACTURERS'
 ASSOCIATION INSURANCE
 COMPANY & GALLAGHER BASSETT
 SERVICES, INC.

APPELLANTS

V.

JOHN M. STANTON

APPELLEE

Opinion Delivered September 26, 2012

APPEAL FROM THE ARKANSAS
 WORKERS' COMPENSATION
 COMMISSION [G007805]

AFFIRMED

DAVID M. GLOVER, Judge

Appellants, Warren Unilube, Inc., Pennsylvania Manufacturers' Association Insurance Company, and Gallagher Bassett Services, Inc., appeal the Workers' Compensation Commission's decision that appellee, John Stanton, suffered a compensable injury in the form of herniated discs in his cervical spine requiring surgical intervention (anterior cervical discectomy and fusion at three levels—C3-4, C4-5, and C5-6). The Commission affirmed and adopted the Administrative Law Judge's determination that Stanton had suffered a compensable injury. On appeal, appellants argue that the Commission's decision is not supported by substantial evidence because Stanton failed to offer any proof, other than his own testimony, that his "alleged neck ailments" were attributable to his employment. We affirm the Commission's decision by memorandum opinion.

Typically, only the decision of the Commission, not the ALJ, is reviewed by our court; however, when the Commission affirms and adopts the ALJ's opinion as its own, making the ALJ's findings and conclusions that of the Commission, our court considers both the ALJ's and the Commission's majority opinion. *Queen v. Nortel Networks, Inc.*, 2012 Ark. App. 188, at 3. In appeals involving claims for workers' compensation, evidence is viewed in the light most favorable to the Commission's decision, which is affirmed if it is supported by substantial evidence—that is, if reasonable minds could reach the Commission's conclusion. *Id.* The issue is not whether the appellate court might have reached a different result from the Commission; if reasonable minds could reach the result found by the Commission, the appellate court must affirm. *Id.* Questions regarding credibility of witnesses and the weight to be given their testimony are within the exclusive province of the Commission. *Cedar Chem. Co. v. Knight*, 372 Ark. 233, 273 S.W.3d 473 (2008). It is within the Commission's province to reconcile conflicting evidence and to determine the true facts when there are contradictions in the evidence. *Id.* The Commission is not required to believe the testimony of the claimant or any other witness, but may accept and translate into findings of fact only those portions of the testimony that it deems worthy of belief; this court is foreclosed from determining the credibility and weight to be accorded to each witness's testimony. *Id.*

The sole issue on appeal is whether there was substantial evidence to support the Commission's decision. Appellants' arguments focus on inconsistencies between Stanton's testimony and medical records; appellants contend that all Stanton presented was his and

his wife's own "self-serving" testimony. However, the ALJ specifically found both Stanton and his wife to be extremely credible. Issues of credibility are within the exclusive province of the Commission, not the court of appeals, and our court is bound by those credibility determinations. *Cedar Chem. Co., supra*. Because the only question on appeal is the sufficiency of the evidence, the Commission's opinion adequately explains its decision, and there is substantial evidence to support the Commission's decision, we affirm by memorandum opinion pursuant to *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Affirmed.

VAUGHT, C.J., and MARTIN, J., agree.

Mayton, Newkirk & Jones, by: *Mike Stiles*, for appellants.

Hunter Law Firm, by: *Scott Hunter*, for appellee.