

ARKANSAS COURT OF APPEALS

DIVISION I

No. CA12-552

LORNA BROWN

APPELLANT

V.

COBB VANTRESS-TYSON and
TYNET, INC.

APPELLEES

Opinion Delivered November 28, 2012

APPEAL FROM THE ARKANSAS
WORKERS' COMPENSATION
COMMISSION
[NOS. G001654 & G103241]

AFFIRMED

WAYMOND M. BROWN, Judge

On February 3, 2010, appellant Lorna Brown suffered an admittedly compensable injury to her right elbow while working for appellee Cobb Vantress-Tyson. Appellant subsequently alleged that she suffered a compensable cervical-spine injury either on December 27, 2009, or on February 3, 2010. She now appeals the March 15, 2012 decision of the Workers' Compensation Commission, which affirmed and adopted the Administrative Law Judge's determination that Brown failed to prove by objective medical evidence the existence of a compensable cervical-spine injury. She argues that the Commission's denial of benefits is not supported by substantial evidence. We find no error and issue this memorandum opinion affirming the Commission's decision.¹

¹*In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Memorandum opinions may be issued in any or all of the following cases:

- (a) Where the only substantial question involved is the sufficiency of the evidence;
- (b) Where the opinion, or findings of fact and conclusions of law, of the trial court or agency adequately explain the decision and we affirm;
- (c) Where the trial court or agency does not abuse its discretion and that is the only substantial issue involved; and
- (d) Where the disposition of the appeal is clearly controlled by a prior holding of this court or the Arkansas Supreme Court and we do not find that our holding should be changed or that the case should be certified to the supreme court.^[2]

This case falls squarely within category (b). The Commission affirmed the decision of the ALJ, who issued a lengthy, well-reasoned opinion that adequately explained the decision, and the record contains substantial evidence to support that decision. We find no error in the Commission's determination that Brown failed to prove the existence of a compensable cervical-spine injury by objective medical evidence. It is the Commission's duty, not ours, to make credibility determinations, to weigh the evidence, and to resolve conflicts in the medical testimony and evidence.³ Furthermore, the issue is not whether we would have reached a different result from the Commission; if reasonable minds could reach the result found by the Commission, we must affirm.⁴ Accordingly, we affirm by memorandum opinion.

Affirmed.

ROBBINS and GRUBER, JJ., agree.

Walker, Shock & Harp, PLLC, by: *Eddie H. Walker, Jr.*, for appellant.
Ledbetter, Cogbill, Arnold & Harrison, LLP, by: *E. Diane Graham* and *Victor L. Crowell*, for appellees.

²*Id.*

³*Erp v. Union Drilling, Inc.*, 2012 Ark. App. 520.

⁴*Id.*