

**ARKANSAS COURT OF APPEALS**

DIVISION II  
No. CA10-1118

S.C. GREGORY

APPELLANT

V.

TYSON POULTRY COMPANY,  
TYNET CORPORATION and DEATH  
& PERMANENT TOTAL DISABILITY  
FUND

APPELLEES

**Opinion Delivered** MAY 4, 2011

APPEAL FROM THE ARKANSAS  
WORKERS' COMPENSATION  
COMMISSION  
[NO. F700802]

AFFIRMED

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**ROBERT J. GLADWIN, Judge**

This appeal challenges the Arkansas Workers' Compensation Commission's determination that appellant S.C. Gregory did not prove that his May 11, 2005 compensable left-knee injury was causally connected to his January 24, 2008 left-knee replacement. Appellant contends that the Commission erred in failing to find that he was entitled to medical benefits, total-temporary disability, additional permanent-partial disability, and permanent disability. Further, appellant claims that the Commission erred in giving controlling weight to an independent-medical examination garnered by appellee Tyson Poultry. These arguments address the sufficiency of the evidence, and the Commission's

decision adequately displays a substantial basis for the denial of relief. Accordingly, we affirm by memorandum opinion.

On May 11, 2005, appellant sustained a compensable left-knee injury while working for his employer, Tyson Poultry. Appellant underwent surgery on May 26, 2005, and returned to work under restrictions. Appellant again underwent surgery on his knee on August 3, 2006, and on June 6, 2007. On July 30, 2007, appellant's treating physician, Dr. Newbern, recommended a total-knee replacement, opining that the work-related injury appellant had sustained to his knee was the main cause for the need of a knee replacement. However, Dr. James McKenzie, an orthopedic surgeon who performed an independent-medical evaluation, opined that appellant's compensable injury was not the cause of the need for the total-knee replacement. He concluded that he could find no evidence in his review of the medical records that suggested that the arthritis in appellant's knee, which led to the need for the knee replacement, was caused by the trauma from the compensable knee injury. The ALJ denied appellant's claim, relying on Dr. McKenzie's evaluation. Appellant appealed the ALJ's decision to the Commission, which affirmed and adopted the ALJ's decision.

Where 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 us to affirm if the Commission's opinion displays a substantial basis for the denial of relief. *Parson v. Ark. Methodist Hosp.*, 103 Ark. App. 178, 287 S.W.3d 645 (2008). Substantial evidence is evidence that a reasonable mind might accept as adequate to support a conclusion. *Williams v. Prostaff*

Cite as 2011 Ark. App. 325

*Temps.*, 336 Ark. 510, 988 S.W.2d 1 (1999). From our review, we conclude that the Commission's opinion more than adequately explains its decision and displays a substantial basis for the denial of relief. Therefore, we affirm the Commission's decision by this memorandum opinion pursuant to *In re Memorandum Opinions*, 16 Ark. App. 301, 700 S.W.2d 63 (1985).

Affirmed.

VAUGHT, C.J., and GRUBER, J., agree.