

ARKANSAS COURT OF APPEALS

DIVISION IV
No. CV-13-835

MO-VAC SERVICES and
ARGONAUT INSURANCE
COMPANY

APPELLANTS

V.

JOHN KELLY ROBERTS

APPELLEE

Opinion Delivered: March 12, 2014

APPEAL FROM THE ARKANSAS
WORKERS' COMPENSATION
COMMISSION
[NO. G004087]

AFFIRMED

RHONDA K. WOOD, Judge

Mo-Vac Services and Argonaut Insurance Company appeal from a Workers' Compensation Commission decision finding that its employee, John Roberts, sustained a compensable injury to his lower back. Mo-Vac argues that the Commission's decision is not supported by substantial evidence. We disagree and affirm.

On appeal, we review the evidence in the light most favorable to the Commission's findings and affirm if those findings are supported by substantial evidence. *Wal-Mart Stores, Inc. v. Brown*, 82 Ark. App. 600, 120 S.W.3d 153 (2003). Substantial evidence is relevant evidence that a reasonable mind might accept as adequate to support a conclusion. *Id.* The issue is not whether we might have reached a different result than the Commission, but whether reasonable minds could reach the Commission's decision. *Pulaski Cnty. Special Sch. Dist. v. Tenner*, 2013 Ark. App. 569. The Commission has the duty to make

credibility determinations, to weigh the evidence, and to resolve conflicts in the medical testimony. *Martin Charcoal, Inc. v. Britt*, 102 Ark. App. 252, 284 S.W.3d 91 (2008).

We may issue memorandum opinions 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.

In re Memorandum Opinions, 16 Ark. App. 301, 700 S.W.2d 63 (1985). The only issue in this appeal is whether substantial evidence supports the Commission's decision. Further, the Commission's opinion adequately explains the basis for granting Roberts's claim. We therefore affirm by memorandum opinion.

Affirmed.

HARRISON and WHITEAKER, JJ., agree.

Frye Law Firm, P.A., by: *William C. Frye*, for appellants.

Gary Davis, for appellee.