

ARKANSAS COURT OF APPEALS

DIVISION II
No. CV-15-623

ARKANSAS DEPARTMENT OF
CORRECTION; PUBLIC
EMPLOYEE CLAIMS DIVISION
APPELLANTS

V.

ANDREW LEE CLINKSCALE
APPELLEE

OPINION DELIVERED JANUARY 27, 2016

ARKANSAS WORKERS' COMPENSATION
COMMISSION
[NO. G004355]

AFFIRMED

ROBERT J. GLADWIN, Chief Judge

This appeal follows the June 16, 2015 decision of the Workers' Compensation Commission (Commission) that affirmed and adopted the ALJ's January 17, 2015 opinion finding appellee Andrew Clinkscale to be permanently and totally disabled and also entitled to out-of-pocket expenses for prescriptions. Appellants argue that substantial evidence does not support the Commission's decision. We find no error and issue this memorandum opinion affirming the Commission's decision. *See 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.

Id. at 302, 700 S.W.2d at 63. See *Rector v. Healthsouth*, 2014 Ark. App. 135, at 2.

This case falls squarely within categories (a) and (b). The only substantial question on appeal is whether the Commission's decision was supported by sufficient evidence. The Commission's opinion, which we affirm, adequately explains its decision.

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. *Jaramillo v. Sys. Contracting*, 2012 Ark. App. 200. We therefore affirm the Commission's decision by memorandum opinion pursuant to sections (a) and (b) of our per curiam, *In re Memorandum Opinions, supra*.

Affirmed.

ABRAMSON and BROWN, JJ., agree.

Robert H. Montgomery, Public Employee Claims Division, for appellant.

J. Matthew Coe, for appellee.