

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H003206

RICARDO ADAME, Employee	CLAIMANT
CONAGRA FOODS, Employer	RESPONDENT
ACE AMERICAN INSURANCE CO., Carrier/TPA	RESPONDENT

OPINION/ORDER FILED MAY 13, 2021

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Fort Smith, Sebastian County, Arkansas.

Claimant represented by STEVEN R. MCNEELY, Attorney, Jacksonville, Arkansas; although not present at hearing.

Respondent represented by MELISSA WOOD, Attorney, Little Rock, Arkansas.

OPINION/ORDER

This case comes on for review following a hearing on respondent's motion to dismiss.

Claimant suffered an admittedly compensable injury to his left shoulder on July 16, 2019. Respondent has paid medical and indemnity benefits including a 6% impairment rating. Claimant filed Form AR-C on June 3, 2020 requesting various compensation benefits. No hearing was requested and as a result respondent filed a motion to dismiss this claim on January 20, 2021. A hearing was scheduled on the respondent's motion for May 3, 2021. Notice of the hearing was sent to claimant by certified mail and delivered on March 26, 2021. Neither claimant nor anyone acting on his behalf appeared at the scheduled hearing time.

After my review of the respondent's motion, the claimant's response thereto, and

all other matters properly before the Commission, I find that respondent's motion to dismiss this claim should be and hereby is granted. This dismissal is pursuant to Commission Rule 099.13 and it is without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE