

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

AWCC FILE № H405703

BRENDA ADAMS, EMPLOYEE

CLAIMANT

PULASKI SPECIAL SCHOOL DISTRICT, EMPLOYER

RESPONDENT

**ARKANSAS SCHOOL BOARDS ASSOCIATION WCT/
ARKANSAS SCHOOL BOARDS ASSOCIATION, CARRIER/TPA**

RESPONDENT

OPINION FILED 13 AUGUST 2025

Heard before Arkansas Workers' Compensation Commission ("the Commission")
Administrative Law Judge JayO. Howe on 6 August 2025 in Little Rock, Arkansas.

The claimant appeared *pro se*.

Worley, Wood & Parrish, P.A., Ms. Melissa Wood, appeared for the respondents.

STATEMENT OF THE CASE

This case relates to an alleged workplace injury occurring on 26 August 2024. A hearing on the respondents' Motion to Dismiss was held on this matter in Little Rock, Arkansas, on 6 August 2025. The record from the hearing consists of the hearing transcript; Respondents' Exhibit № 1, which consists of two index pages and an additional forty-one pages of forms, filings, and correspondence; and Commission's Exhibit № 1, a file-marked letter from the claimant dated 23 December 2024.

The respondents first requested a dismissal of this claim under Commission Rule 099.13 (now codified at 11 C.A.R. § 25-110(d)) via a letter dated 7 May 2025. That motion was denied without prejudice by way of an Order dated 21 May 2025. After some time passed without the claimant making any filings with the Commission, the respondents sought again, on 14 July 2025, for the claim to be dismissed for lack of prosecution. A hearing was then set and notices sent accordingly.

FINDINDGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the record as a whole, I hereby make the following findings of fact and conclusions of law in accordance with Ark. Code Ann. § 11-9-704 (Repl. 2012):

1. The Commission has jurisdiction over this matter.
2. The parties were provided with reasonable notice of the Motion to Dismiss and the hearing on that motion.
3. The evidence preponderates that the claimant has not failed to prosecute her claim under 11 CAR § 25-110(d).
4. The Motion to Dismiss is hereby denied without prejudice.

DISCUSSION

The parties appeared on 6 August 2025. Before going on the record, the parties discussed the claimant's wish that this claim be heard alongside her other claims relating to alleged knee injuries occurring during her employment with the respondent. The claimant testified that she has discussed the same with the Commission's Legal Advisors. She requested that this claim, Claim No H408315, and Claim No G401193 all be considered together. She further testified that she has been in contact with an attorney whom she intends to assist her in prosecuting her claims. She is to request that her attorney communicate with respondents' counsel on these matters as soon as possible, should she secure representation.

The claimant has shown that she has made efforts towards prosecuting her claim and that she intends to continue doing so. The respondents' motion to dismiss is denied without prejudice, accordingly.

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ORDER

The Motion to Dismiss is DENIED WITHOUT PREJUDICE.

SO ORDERED.

JAYO. HOWE
ADMINISTRATIVE LAW JUDGE