

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. G900955

RODRIGO AGUILAR, Employee	CLAIMANT
SUPERIOR AUTO MALL, Employer	RESPONDENT
CENTRAL AR AUTOMOBILE DEALERS/ RISK MANAGEMENT RESOURCES, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED APRIL 1, 2021

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Springdale, Washington County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondent represented by JARROD PARRISH, Attorney, Little Rock, Arkansas.

OPINION/ORDER

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

Respondent accepted a compensable injury of February 6, 2019. Claimant was represented by Attorney Jason Watson who subsequently filed a motion to withdraw as counsel. That motion was granted by the Full Commission on July 2, 2020. Thereafter, claimant obtained new counsel, Laura Beth York, and Form AR-C was filed on August 4, 2020. Thereafter, Ms. York also filed a motion to withdraw as counsel. That motion was granted by the Full Commission in an order filed October 27, 2020. No further action was taken by the claimant to pursue his claim and as a result, respondent filed a motion on February 8, 2021, to dismiss the claim for failure to prosecute. A hearing was scheduled on the respondent's motion for March 24, 2021. Notice of the hearing was sent to

claimant at his last known address and was returned as “Unclaimed.” Claimant did not appear at the hearing and has not responded to the respondent’s motion.

After my review of the respondent’s motion, the claimant’s failure to respond 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.

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GREGORY K. STEWART  
ADMINISTRATIVE LAW JUDGE