

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**WCC NO. H403725**

<b>VICTOR JUAREZ AMADOR, Employee</b>	<b>CLAIMANT</b>
<b>SHEPARD CONSTRUCTION, LLC, Employer</b>	<b>RESPONDENT</b>
<b>ACCIDENT FUND NATIONAL INS. CO., Carrier</b>	<b>RESPONDENT</b>

**OPINION FILED DEEMBER 17, 2025**

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS in Springdale, Washington County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by KAREN H. MCKINNEY, Attorney at Law, Little Rock, Arkansas.

**STATEMENT OF THE CASE**

This case comes on for review following a hearing on respondents' Motion to Dismiss.

On May 15, 2024, the claimant's attorney, Lauri Thomas, filed an AR-C requesting various compensation benefits which alleged injuries to the claimant's thumb, ring finger, neck, chest, elbow, head, forearm, back pelvis and abdomen on or about April 29, 2024. On July 16, 2025, Ms. Thomas filed a Motion to Withdraw as Counsel and that motion was granted by the Full Commission by Order filed July 30, 2025. No further action was taken on this claim.

On August 13, 2025, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for October 28, 2025. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on September 16, 2025. That certified mail notice was returned to the Commission by the Post Office with a notation "Return to Sender. Unclaimed. Unable to Forward." At the hearing, it was discovered

that the notice of hearing was sent to the claimant's previous address. On October 28, 2025, a letter was sent by certified mail, return receipt requested to the claimant at his current address informing him that a hearing was held regarding the Motion to Dismiss filed by the respondents, giving the claimant 45 days to respond if he had any objections to the dismissal of his claim. That letter was returned to the Commission by the Post Office, with a notation "Return to Sender. Attempted, Not Known. Unable to Forward."

Pursuant to 11 CAR §25-110(d) (previously codified as Commission Rule 099.13), the Commission may enter an order dismissing a claim for want of prosecution After a review of the respondents' Motion to Dismiss, the claimant's lack of desire to pursue his claim, and his failure to appear at the scheduled hearing, as well as all other matters properly before the Commission, I find that claimant has failed to prosecute this claim. Therefore, this claim is dismissed without prejudice.

**IT IS SO ORDERED.**

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**HONORABLE ERIC PAUL WELLS  
ADMINISTRATIVE LAW JUDGE**