

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H204469

NORMA BEENEY, Employee	CLAIMANT
TYSON POULTRY, INC., Employer	RESPONDENT
TYNET CORPORATION, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED APRIL 18, 2023

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

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by LAUREN SCROGGINS, 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 her ankle on June 18, 2022. Claimant filed Form AR-C on June 21, 2022 requesting various compensation benefits. No further action was taken and no hearing was requested. As a result, respondent filed a motion to dismiss this claim on February 7, 2023. A hearing on respondent's motion was scheduled for April 17, 2023. Notice of the hearing was sent to claimant by certified mail and was delivered on March 9, 2023. Claimant did not appear at the hearing and has not responded to the respondent's motion. Counsel for respondent indicated that claimant had contacted their office and indicated that she had no objection to the

dismissal and would not be attending the hearing.

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.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE