

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H000889

BRIAN BLACK, Employee	CLAIMANT
RG ELECTRIC, Employer	RESPONDENT
MARKEL SERVICE, INC., Carrier/TPA	RESPONDENT

OPINION/ORDER FILED JANUARY 5, 2021

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

Claimant is *Pro Se*; failed to appear.

Respondent represented by JARROD S. PARRISH, Attorney at Law, Little Rock, Arkansas.

OPINION/ORDER

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

On February 13, 2020, claimant's previous attorney, Jarid M. Kinder, filed an AR-C requesting various compensation benefits for the claimant. Mr. Kinder subsequently filed a Motion to Withdraw as claimant's attorney on February 27, 2020 and the Full Commission granted that Motion on March 11, 2020. On July 30, 2020, claimant's attorney, Laura Beth York, filed an AR-C requesting various compensation benefits for the claimant. On October 1, 2020, Ms. York filed a Motion to Withdraw as claimant's attorney and the Full Commission granted that Motion on October 13, 2020. On October 23, 2020, respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. On October 27, 2020, a Notice of Hearing was mailed to the parties notifying them that a hearing was scheduled for December 8, 2020. The claimant's notice was mailed to him at his last known mailing address by certified and regular mail. The United States Postal Service proof of service log indicates the claimant received his notice on October 29, 2020.

After my review of respondents' Motion to Dismiss, the claimant's lack of response thereto, and his failure to appear at the scheduled hearing, as well as all other matters properly before the Commission,

I find that respondents' Motion to Dismiss this claim should be and hereby is granted pursuant to Commission Rule 099.13. This dismissal is without prejudice.

IT IS SO ORDERED.

HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE