

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. G904164

RICHMOND C. BOYCE, EMPLOYEE

CLAIMANT

CITY OF LITTLE ROCK, EMPLOYER

RESPONDENT

**CITY OF LITTLE ROCK/RISK MANAGEMENT RESOURCES,
CARRIER/TPA**

RESPONDENT

OPINION FILED 7 SEPTEMBER 2023

Hearing before Administrative Law Judge JayO. Howe in Little Rock, Pulaski County, Arkansas, on Wednesday, 6 September 2023.

Claimant Richmond C. Boyce, *pro se*, did not appear.

Ms. Melissa Wood, Attorney-at-Law, of Little Rock, Arkansas, appeared on behalf of respondents.

STATEMENT OF THE CASE

A hearing was held in the above-styled matter on 6 September 2023, in Little Rock, Arkansas, on respondents' Motion to Dismiss. This claim involves an alleged workplace injury occurring on 4 April 2019.

A Form AR-C was filed with the Commission on 17 June 2019. A First Report of Injury was dated 8 April 2019 and it was filed, along with a Form 2, accepting a medical-only claim for a right shoulder injury, on 3 July 2019. The Medical Cost Containment Division entered a Change of Physician Order on 21 November 2019.

The record reflects no correspondence or action thereafter prior to the respondents moving for a dismissal of this matter for want of prosecution. That Motion was filed on 6 July 2023, and appropriate notice was sent accordingly. The file, which was incorporated by reference at the hearing, reflects a call received by the Legal Advisors Division on 14 July

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2023 during which the claimant relayed that no additional relief was being sought in this matter. He did not lodge any formal objection to the dismissal or appear at the hearing.

Based on the record, available evidence, and argument of counsel, I am inclined to find that the Motion to Dismiss should be granted and the matter should be dismissed without prejudice.

ORDER

Pursuant to the above, I find that the Motion to Dismiss should be granted and this matter should be dismissed without prejudice at this time.

SO ORDERED.

JAYO. HOWE
ADMINISTRATIVE LAW JUDGE