BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H507602

JAMES BROOKS, Employee	**CLAIMANT**
CLARK FOOD EQUIPMENT, Employer	**RESPONDENT**
SUMMIT CONSULTING, LLC, Carrier	**RESPONDENT**

OPINION FILED NOVEMBER 10, 2026

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 GUY ALTON WADE, 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 December 12, 2025, the claimant filed an AR-C requesting various compensation benefits in which he alleges an injury to right leg on or about November 13, 2025. There has been no request for a hearing and no further action was taken in this claim.

On June 17, 2026, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for September 8, 2026. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on July 30, 2026. That certified mail notice was returned to the Commission by the Post Office with a notation "Return to Sender. Box Closed. Unable to Forward." Due to a scheduling conflict, the hearing was rescheduled for October 6, 2026. Notice of the rescheduled hearing was sent to the claimant by certified mail, return receipt requested on August 24, 2026. That certified mail notice 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.

HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE