BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
AWCC FILE № H301226

PATRICIA BULLOCK, EMPLOYEE	**CLAIMANT**
CITY OF LITTLE ROCK, SELF-INSURED EMPLOYER	**RESPONDENT**
RISK MANAGEMENT RESOURCES, TPA	**RESPONDENT**

OPINION FILED 11 AUGUST 2026

Heard before Arkansas Workers' Compensation Commission Administrative Law Judge JayO. Howe on 24 June 2026 in Little Rock, Arkansas.

The *pro se* claimant did not appear.

Worley, Wood & Parrish, P.A., Ms. Melissa Wood, appeared for the respondents.

STATEMENT OF THE CASE

A hearing on the respondents' Motion to Dismiss was held on this matter in Little Rock, Arkansas, on 24 June 2026. The hearing record consists of the transcript, which includes Commission's Exhibit № 1 (USPS delivery confirmation receipt documents) and Respondents' Exhibit № 1 (one index page and eight pages of documents offered in support of their motion).

This case relates to an accepted compensable injury sustained on or about 13 December 2022. The respondents subsequently provided medical and indemnity benefits. The claimant filed a Form AR-C on 24 April 2024 seeking all available medical and indemnity benefits. She was represented by counsel at the time. The respondents filed their Form AR-2 on 29 April 2024, indicating that they had accepted the claim as compensable and provided benefits accordingly. On 25 March 2026, the Full Commission entered an Order relieving the claimant's counsel from further representation on this claim.

On 6 April 2026, the respondents filed their motion requesting that the claim be dismissed for want of prosecution. They argued that more than six months had passed since the filing of the claimant's Form AR-C and that no action had been taken by the claimant in the six months preceding the filing of their motion. They further argued that all appropriate benefits had been paid on the claim.

After receipt of the respondents' request for a dismissal, notice of the same was sent to the claimant, consistent with Commission practices, via First Class Mail and Certified Mail. Subsequent notice of a hearing on the respondents' motion was also sent in the same manner. A United States Postal Service delivery receipt confirmed delivery of the Commission's correspondence to the claimant on 2 May 2026.

The claimant did not appear at the hearing. Nor did she file a response or objection to the respondents' motion. The respondents stated that their office had been in contact with the claimant over the phone in the week before the hearing. They advised that they could not provide counsel or recommendations to the claimant regarding her claim. The claimant was directed to the Commission's Legal Advisors for any questions she might have. During the course of that conversation, the claimant indicated to the respondents that she intended to object to the dismissal. I appreciate the respondents' candor in disclosing the same. The claimant, however, did not actually appear at the hearing or file any response to the respondents' motion. Because the respondents relayed the claimant's supposed intention to object, I stated on the record that I would withhold entering an Order on the motion for at least 30 days following the hearing. More than 30 days have now passed. No correspondence from the claimant has been received in that time.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the record as a whole, I hereby make the following findings of fact and conclusions of law in accordance with Ark. Code Ann. § 11-9-704 (Repl. 2012):

1. The Commission has jurisdiction over this matter.

2. The parties were provided with reasonable notice of the Motion to Dismiss and the hearing on the motion.

3. The evidence preponderates that the claimant has failed to prosecute her claim under 11 C.A.R. § 25-110(d).

4. The Motion to Dismiss is hereby granted; this claim for additional benefits is dismissed without prejudice under 11 C.A.R. § 25-110(d).

DISCUSSION

The respondents appeared on 24 June 2026 and presented their motion. As argued by the respondents at the hearing, 11 C.A.R. § 25-110(d) provides for a dismissal for failure to prosecute an action upon application by either party and reasonable notice. As stated above, the claimant received notice of the hearing. She was aware of the hearing and discussed her claim with the respondents well before the date of the hearing. The evidence preponderates in favor of finding that the claimant has failed to take any action on her claim in the six months preceding the filing of the respondents' motion and that she received appropriate notice of the hearing on that motion. The claimant chose not to appear or otherwise file an objection to the respondents' motion. Accordingly, a dismissal is appropriate.

ORDER

Consistent with the findings of fact and conclusions of law set forth above, the Motion to Dismiss is hereby GRANTED. This claim for additional benefits is dismissed without prejudice.

SO ORDERED.

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JAYO. HOWE
ADMINISTRATIVE LAW JUDGE