

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H004190

JARED CALICO, Employee	CLAIMANT
PENNIE MASONRY, Employer	RESPONDENT
TRAVELERS INSURANCE COMPANY, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED APRIL 14, 2021

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Springdale, Washington County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondent represented by GUY ALTON WADE, Attorney, Little Rock, Arkansas.

OPINION/ORDER

This case comes on for review following a hearing on respondent's motion to dismiss.

This claim was filed alleging an injury in July 2019. Respondent has controverted the claim in its entirety. Respondent filed discovery requests upon the claimant and no responses were forthcoming. Respondent subsequently filed a motion to dismiss on December 16, 2020. A hearing on respondent's motion to dismiss was initially scheduled for February 17, 2021, but was canceled due to weather. The hearing on the motion to dismiss was rescheduled for April 7, 2021, and notice of that hearing was sent to claimant by certified mail at his last known address. That notice was returned by the postal service and claimant did not appear at the hearing. In addition, claimant has not responded in any other way to the respondent's motion to dismiss.

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