

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H009465

LAURA CHAVEZ AGUIRRE, Employee	CLAIMANT
TYSON MEXICAN ORIGINAL, INC., Employer	RESPONDENT
TYNET CORPORATION, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED AUGUST 2, 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 R. SCOTT ZUERKER, Attorney, Fort Smith, Arkansas.

OPINION/ORDER

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

The claimant did not file a Form AR-C in this claim, but instead by letter dated January 8, 2021, requested a hearing. The claim was assigned to ALJ Wells who requested that claimant complete a pre-hearing questionnaire. Claimant did not file a pre-hearing questionnaire and has not taken any other action to prosecute her claim since the January 8, 2021 letter.

On June 21, 2021, respondent filed a Motion to Dismiss. A hearing was scheduled on the respondent's motion for July 27, 2021. Notice of the hearing was sent to claimant by certified mail and was returned as "Unclaimed." Claimant did not appear at the

hearing, has not responded to the respondent's motion, and has not taken any action to prosecute her claim.

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