

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H004577

FRANKLIN B. COFFEY, Employee

CLAIMANT

P.A.M. TRANSPORT, INC., Self-Insured Employer

RESPONDENT

OPINION/ORDER FILED JUNE 10, 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 DAVID C. JONES, Attorney, Little Rock, Arkansas.

OPINION/ORDER

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

On July 27, 2020, claimant filed Form AR-C alleging a compensable injury on November 16, 2018. Since that time claimant has not requested a hearing and has not taken any other action to prosecute his claim. Respondent did attempt to conduct discovery but claimant did not respond to discovery requests. As a result, respondent filed a Motion to Dismiss on April 5, 2021.

A hearing was scheduled on the respondent's motion for June 2, 2021. Notice of the hearing was sent to claimant at his last known address by certified mail and was delivered on April 19, 2021. Claimant did not appear at the hearing and 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 A.C.A. §11-9-702 as well as Commission Rule 099.13. This dismissal is without prejudice.

IT IS SO ORDERED.

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GREGORY K. STEWART  
ADMINISTRATIVE LAW JUDGE