

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H105127**

LINDSEY COVEY, EMPLOYEE	CLAIMANT
MCDONALD'S RESTAURANT, EMPLOYER	RESPONDENT
RISK MANAGEMENT RESOURCES, INSURANCE CARRIER	RESPONDENT

OPINION/ORDER FILED **MARCH 16, 2023**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Fort Smith, Sebastian County, Arkansas.

Claimant represented by MICHAEL L. ELLIG, Attorney, Fort Smith.

Respondents are represented CAROL LOCKARD WORLEY, Attorney, Little Rock, Arkansas.

OPINION/ORDER

On June 9, 2022, claimant filed Form AR-C, alleging a compensable injury on June 14, 2021. Claimant was represented at the time by Michael L. Ellig, who remains her attorney of record.

On December 9, 2022, respondent filed a Motion to Dismiss, alleging that it had been more than six months since claimant filed her Form AR-C with the Commission, but she had not made a request for a hearing in that time. Claimant's attorney advised the Commission he had no objection to the Motion to Dismiss and would not attend the hearing. A hearing on respondent's Motion to Dismiss was scheduled for March 7, 2023. Notice of the scheduled hearing was sent to claimant by certified mail at the last known address in the Commission's file. The notice was delivered to claimant on January 11, 2023. Claimant did not respond to respondent's motion and did not appear in person at the hearing on March 7, 2023.

I find it has been more than six months since prior to this hearing and that no request for a hearing has been made in this file. After my review of the respondent's motion, the Claimant's lack of

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response and failure to attend the hearing for the respondent's motion, as well as 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 is without prejudice.

IT IS SO ORDERED.

JOSEPH C. SELF
ADMINISTRATIVE LAW JUDGE