

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H104145

ALICIA C. CRAVENS, EMPLOYEE	CLAIMANT
ARK HOSPICE, INC., EMPLOYER	RESPONDENT
ARK. HOSPICE ASSN./RISK MANAGEMENT RESOURCES, CARRIER/TPA	RESPONDENT

OPINION FILED FEBRUARY 9, 2022

Hearing before Administrative Law Judge James D. Kennedy in Little Rock, Pulaski County, Arkansas, on February 1, 2022.

Claimant is *pro se* and did not appear.

Respondents are represented by Jarrod Parrish, Attorney at Law, Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above-styled matter on February 1, 2022, in Little Rock, Arkansas, on Respondents' Motion to Dismiss for failure to prosecute pursuant to Ark. Code Ann. § 11-9-702 and Rule 099.13 of the Arkansas Workers' Compensation Act. The claim involves an injury which occurred on or about October 3, 2020, when an employer/employee relationship existed. The claim was denied in its entirety. More than six (6) months have passed since the claimant filed a Form AR-C, and the claimant has not sought any type of *bona fide* hearing. Originally, the claimant was represented by Robert B. Buckalew, who was allowed to withdraw by an Order dated December 28, 2021. A Motion to Dismiss for failure to prosecute was filed on November 12, 2021, and the claimant failed to respond to the motion

A hearing was set for February 1, 2022, in regard to the Motion to Dismiss. The claimant failed to appear at the hearing after proper notice. At the time of the hearing, Jarrod Parrish appeared on behalf of the respondents and asked that the matter be dismissed for lack of prosecution.

After a review of the record as a whole, to include all evidence properly before the Commission, and having had an opportunity to hear the statements of the respondents' attorney, there is no alternative but to find that the Motion to Dismiss should be granted at this time, and the matter should be dismissed without prejudice.

ORDER

Pursuant to the above, there is no alternative but to find that the Motion to Dismiss should be granted and this matter should be dismissed without prejudice at this time.

IT IS SO ORDERED.

JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE