

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO.: H009860

QUINN S. DOLES, Employee	CLAIMANT
ROCK REGION METRO, Self-Insured Employer	RESPONDENT
ATA WORKERS' COMPENSATION SI TRUST, Carrier	RESPONDENT
RISK MANAGEMENT RESOURCES, TPA	RESPONDENT

OPINION AND ORDER FILED JULY 28, 2021

Hearing conducted before ADMINISTRATIVE LAW JUDGE TERRY DON LUCY, in Pulaski County, Arkansas.

Counsel for the Claimant: *pro se*.

Counsel for the Respondents: HONORABLE MELISSA WOOD, Attorney at Law, Little Rock, Arkansas.

The above-captioned matter came on for a hearing on July 27, 2021, for consideration of the Respondents' Motion to Dismiss originally filed with the Commission on June 21, 2021.

When the hall was sounded at the appointed time for the hearing, the Claimant was not present and did not appear during the ensuing proceedings. During such proceedings, Respondent's Exhibit No. 1 was introduced into the record without objection, and the Commission's file was designated as part of the record without objection. Review of both reflects that the Claimant filed a Form AR-C on November 10, 2020, has not requested a hearing on the merits since that date, and that the Commission has taken all available measures to inform the Claimant of the hearing date, inclusive of certified and first-class mail sent on July 14, 2021. Given the Claimant's failure to appear at the hearing, failure to object to the Respondent's motion, and apparent failure to otherwise timely prosecute his claim since November 10, 2020, I specifically find that this matter should be, and hereby is, dismissed without prejudice for lack of timely prosecution pursuant to Ark. Code Ann. §11-9-702 and Commission Rule 099.13, effective July 27, 2021.

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The Respondents are ordered and directed to pay the court reporter's fee within thirty days of billing for such pursuant to Commission Rule 099.20.

IT IS SO ORDERED.

Hon. Terry Don Lucy
ADMINISTRATIVE LAW JUDGE