

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H502362

HUNTER EDDINGS, Employee

CLAIMANT

PACKAGING SPECIALTIES, INC., Employer

RESPONDENT

CCMSI, Carrier

RESPONDENT

OPINION FILED APRIL 7, 2026

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS in Fort Smith, Sebastian County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by ERIC NEWKIRK Attorney at Law, Little Rock, Arkansas.

STATEMENT OF THE CASE

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

On May 20, 2025, the claimant filed an AR-C requesting various compensation benefits in which he alleges an injury to his head on or about April 8, 2025. There has been no request for a hearing and no further action was taken in this claim.

On December 17, 2025, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for March 10, 2026. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on February 2, 2026. United States Postal Department records indicate that claimant received and signed for the notice on February 5, 2026. Due to a scheduling conflict, the hearing was rescheduled for March 11, 2026. Notice of the rescheduled hearing was sent to the claimant by certified mail, return

receipt requested on February 9, 2026. That certified mail notice was returned to the Commission by the Post Office with a notation “Return to Sender. Refused. Unable to Forward.”

Pursuant to 11 CAR §25-110(d) (previously codified as Commission Rule 099.13), the Commission may enter an order dismissing a claim for want of prosecution. After a review of the respondents’ Motion to Dismiss, the claimant’s lack of desire to pursue his claim, and his failure to appear at the scheduled hearing, as well as all other matters properly before the Commission, I find that claimant has failed to prosecute this claim. Therefore, this claim is dismissed without prejudice.

IT IS SO ORDERED.

HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE