

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H009070

YAQUERSY A. FOSTER, Employee	CLAIMANT
WORKSOURCE, INC., Employer	RESPONDENT
NEW HAMPSHIRE INSURANCE COMPANY, Carrier	RESPONDENT

OPINION/ORDER FILED DECEMBER 22, 2021

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

Claimant not represented by counsel and not appearing at hearing.

Respondent represented by LAURA J. PEARCE, Attorney, Fort Smith, Arkansas.

OPINION/ORDER

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

On October 7, 2020 the claimant filed an AR-C requesting various compensation benefits. The alleged injury involved a puncture wound to one of her fingers, and claimant received treatment for that wound on September 28, 2020. A follow-up appointment was scheduled for October 6, 2020, but claimant failed to appear at that appointment and no further medical has been requested or provided. There has been no request for a hearing since the filing of the Form AR-C on October 7, 2020.

A hearing was set in regard to the respondent's Motion to Dismiss for December 9, 2021. Notice of that hearing was sent to claimant by certified mail, return receipt requested, on October 21, 2021. United States Postal records indicate the certified notice was received by the claimant on October 27, 2021. Despite having received notice of the hearing, the claimant failed to appear at the hearing and has not contacted the Commission in any manner to set forth an objection to her claim being dismissed.

After my review of respondent's Motion to Dismiss, the claimant's lack of response thereto and her failure to appear at the scheduled hearing, 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 pursuant to A.C.A. §11-9-702(a)(4). This dismissal is without prejudice.

IT IS SO ORDERED.

HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE