

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H303200

MALINDA J. GILBERT, Employee	CLAIMANT
NIDEC MOTOR CORPORATION, Employer	RESPONDENT
TRAVELERS INDEMNITY CO., Carrier/TPA	RESPONDENT

OPINION/ORDER FILED APRIL 17, 2024

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Fort Smith, Sebastian County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by AMY C. MARKHAM, Attorney, Little Rock, Arkansas.

OPINION/ORDER

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

On March 22, 2023, claimant filed Form AR-C alleging an injury to his right hand. Respondent has denied this claim in its entirety. Claimant has taken no action to prosecute her claim and as a result respondent filed a Motion to Dismiss on December 21, 2023. A hearing was scheduled on the respondent's motion for April 8, 2024. Notice of the hearing was sent to claimant by certified mail at her last known address and was returned by the Post Office as "Unclaimed." Claimant did not appear at the hearing and has not responded to the respondent's motion.

After my review of the respondent's motion, the claimant's failure to respond

thereto, and 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 it is without prejudice.

IT IS SO ORDERED.

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GREGORY K. STEWART  
ADMINISTRATIVE LAW JUDGE