

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H501821

NEENA GOBER, Employee

CLAIMANT

GEORGE'S PROCESSING, INC., Employer

RESPONDENT

CORVEL ENTERPRISE CLAIMS, INC., Carrier

RESPONDENT

OPINION FILED APRIL 28, 2026

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS, in Springdale, Washington County, Arkansas.

Claimant represented by EVELYN E. BROOKS, Attorney, Fayetteville, Arkansas; although not present at hearing.

Respondent represented by R. SCOTT ZUERKER Attorney, Fort Smith, Arkansas.

OPINION

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

On March 24, 2025, Evelyn Brooks, claimant's attorney, filed a Form AR-C requesting various compensation benefits in which the claimant alleged an injury to her bilateral hands, wrists and elbows and right thumb on or about September 11, 2024. No further action was taken in this claim.

On January 12, 2026, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for March 31, 2026. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on February 24, 2026. United States Postal Department records indicate that claimant received and signed for the notice on March 5, 2025.

Ms. Brooks indicated by email dated March 20, 2026, that she would waive her appearance at the hearing and further indicated that she had no objection to the Motion to Dismiss “without prejudice.”

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 my review of the respondent’s Motion to Dismiss, Ms. Brooks’ response thereto she had no objection to the Motion to Dismiss without prejudice, and the claimant’s 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**