

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H005976**

TEDDY GRAHAM, EMPLOYEE	CLAIMANT
CENTURY FINANCIAL SERVICES INC., UNINSURED EMPLOYER	RESPONDENT#1
KIMBALL & THOMPSON PRODUCE, EMPLOYER	RESPONDENT#2
AMTRUST NORTH AMERICA, CARRIER	RESPONDENT#2

OPINION/ORDER FILED SEPTEMBER 23, 2021

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Springdale, Washington County, Arkansas.

Claimant is *pro se* and did not appear at hearing.

Respondent #1 not appearing at hearing.

Respondent #2 represented by WILLIAM C. FRYE, Attorney, North Little Rock, Arkansas

OPINION/ORDER

On August 24, 2020, claimant filed Form AR-C, alleging a compensable injury on October 23, 2019. Claimant was represented by Laura Beth York, who filed a motion to withdraw on May 10, 2021, and was allowed to withdraw on June 3, 2021.

On July 16, 2021, Respondent filed a Motion to Dismiss, alleging that it had been more than six months since claimant filed his Form AR-C with the Commission, but he had not made a request for a hearing in that time. A hearing on Respondent's Motion to Dismiss was scheduled for September 16, 2021. Notice of the scheduled hearing was sent to Claimant by certified mail at the last address in the Commission's file. The notice was returned unclaimed on August 23, 2021. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on September 16, 2021.

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I find it has been more than six months since prior to this hearing and that no request for a hearing has been made in this file. After my review of the Respondent's motion, the Claimant's lack of response and failure to attend the hearing for the Respondent's motion, 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. This dismissal is pursuant to Commission Rule 099.13 and is without prejudice.

IT IS SO ORDERED.

JOSEPH C. SELF
ADMINISTRATIVE LAW JUDGE