

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. G202315

JULIE GREGORY, Employee	CLAIMANT
ST. MARY ROGERS MEMORIAL HOSPITAL, Employer	RESPONDENT
MERCY HEALTH, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED JULY 26, 2021

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Springdale, Washington County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondent represented by RANDY P. MURPHY, Attorney, Little Rock, Arkansas.

OPINION/ORDER

This case comes on for review following a hearing on respondent's motion to dismiss.

Claimant suffered an admittedly compensable injury to her shoulder on December 8, 2011. Respondent accepted this claim as compensable and paid compensation benefits, including surgery on claimant's right shoulder. At no time has claimant requested a hearing on any unpaid benefits.

On May 25, 2021, respondent filed a Motion to Dismiss for Failure to Prosecute. A hearing was scheduled on the respondent's motion for July 14, 2021. Notice of the hearing was sent to claimant at her last known address by certified mail and was returned by the Post Office. Claimant was not present at the hearing and has not responded to the respondent's motion in any way.

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After my review of the respondent's motion, the claimant's failure to respond thereto, and 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 it is without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE