BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. H504087

JAXSON HARRELL, EMPLOYEE	**CLAIMANT**
DANIEL CROWN CONSTR./WINCO CONSTR., LLC, EMPLOYER	**RESPONDENT**
TRAVELERS PROP. CAS.CO. OF AMERICA, CARRIER/TPA	**RESPONDENT**

OPINION FILED SEPTEMBER 2, 2026

Hearing before Administrative Law Judge James D. Kennedy in Springdale, Arkansas on August 12, 2026.

Claimant is pro se and failed to appear.

Respondents are represented by Jason Ryburn, Attorney at Law, of Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above styled matter on August 12, 2026, in Springdale, Arkansas, on respondent's Motion to Dismiss for failure to prosecute pursuant to A.C.A. §11-9-702 and Rule 099.13 of the Arkansas Workers' Compensation Act which is now named 11 C.A.R. §25-110(d). The claimant was originally represented by Jarrod Kinder who was allowed to withdraw by an Order of the Full Commission dated May 3, 2026. At the time of the hearing, the claimant was pro se and failed to appear for the hearing. The Claimant filed a Form AR-C, on June 30, 2025, contending that he had injured his neck, spine, and body as a whole. The claim was denied by the respondents contending that there was no injury per statutory definition.

A Motion to Dismiss was filed on May 20, 2026, requesting that the matter be dismissed for failure to prosecute. The claimant has not requested a hearing to date and

more than six months have passed since the filing of the original claim. Additionally on July 7, 2026, the claimant sent an email to the Commission that provided that "I agree with the motion to dismiss and have no objections to the court granting it."

Appropriate notice was provided to the claimant notifying him that a hearing on the Motion to Dismiss was set for August 12, 2026, in Springdale, Arkansas. The claimant did not file a response and failed to appear on the hearing date. At the time of the hearing, Jason Ryburn of Little Rock, Arkansas, appeared on behalf of the Respondents and asked that the matter be dismissed for lack of prosecution.

After a review of the record as a whole, to include all evidence properly before the Commission, and having an opportunity to hear the statements of the attorney for the Respondent, it is found that this matter should be dismissed without prejudice, for failure to prosecute pursuant to A.C.A. §11-9-702 and 11 C.A.R. §25-110(d) of the Arkansas Workers' Compensation Act.

ORDER

Pursuant to the above statement of the case, there is no alternative but to dismiss this claim in its entirety, without prejudice, for failure to prosecute.

IT IS SO ORDERED.

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JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE