

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H407103

RONALD HOLUB, Employee	CLAIMANT
TRI STATE ENTERPRISES, INC., Employer	RESPONDENT
CHARTER OAK FIRE INS CO., Carrier	RESPONDENT

OPINION FILED JANUARY 21, 2026

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

Claimant represented by JARID M. KINDER, Attorney at Law, Fayetteville, Arkansas; although not appearing at the hearing.

Respondents represented by GUY ALTON WADE, Attorney at Law, Little Rock, Arkansas.

STATEMENT OF THE CASE

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

On October 20, 2024, Attorney Kinder filed Form AR-C on behalf of claimant requesting additional compensation benefits relating to an injury that occurred on May 1, 2024. Following a prehearing conference on April 23, 2025, a Prehearing Order was filed, and a hearing was set on claimant's entitlement to additional compensation benefits for June 16, 2025. Prior to that scheduled hearing, claimant requested that the hearing be cancelled and Attorney Kinder indicated that claimant was withdrawing his request for a hearing at that time.

No further action was taken until respondent filed a Motion to Dismiss on November 6, 2025. A hearing was scheduled on the respondent's motion for January 5, 2026. Notice of the hearing was sent to claimant by certified mail and was delivered on November 28, 2025. Claimant did not appear at the hearing. In an email dated November 24, 2025, Attorney Kinder indicated that claimant had no objection to the Motion to Dismiss and waived his appearance the hearing.

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, the claimant's statement that does not object to hearing respondent's motion, and 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.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE