

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H005383

AARON HUEY, Employee

CLAIMANT

LRD CONSTRUCTION, Employer

RESPONDENT

CCMSI, Carrier

RESPONDENT

OPINION/ORDER FILED MAY 5, 2021

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

Claimant is *Pro Se* and was not present at the hearing.

Respondents represented by DAVID C. JONES, Attorney at Law, Little Rock, Arkansas.

OPINION/ORDER

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

On August 4, 2020, the claimant filed an AR-C requesting various compensation benefits. On March 16, 2021, respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution and a hearing was scheduled for April 27, 2021. On March 19, 2021, a Notice of Hearing was mailed to the claimant at his last known mailing address by certified mail. The USPS proof of delivery log indicates that the Hearing Notice was delivered to the claimant's address on March 22, 2021. It was noted at the hearing that the claimant was not present.

After my review of respondents' Motion to Dismiss, the claimant's lack of response thereto, and all other matters properly before the Commission, I find that respondents' Motion to Dismiss this claim should be and hereby is granted pursuant to Commission Rule 099.13. This dismissal is without prejudice.

IT IS SO ORDERED.

**HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE**