

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. G404164

KEITH L. HARPER,
EMPLOYEE

CLAIMANT

PULASKI COUNTY SPECIAL SHOOOL DISTRICT,
EMPLOYER

RESPONDENT

ARKANSAS SCHOOL BOARDS ASSOCIATION,
INSURANCE CARRIER/TPA

RESPONDENT

OPINION FILED OCTOBER 26, 2022

Upon review before the FULL COMMISSION in Little Rock, Pulaski County, Arkansas.

Claimant represented by the HONORABLE KENNETH A. OLSEN, Attorney at Law, Bryant, Arkansas.

Respondents represented by the HONORABLE MELISSA WOOD, Attorney at Law, Little Rock, Arkansas.

ORDER

The respondents move to dismiss the claimant's appeal to the Arkansas Court of Appeals. The Full Commission denies the motion.

An administrative law judge filed an opinion on December 21, 2021. The administrative law judge found, among other things, that the statute of limitations barred the claim. The Full Commission unanimously affirmed and adopted the administrative law judge's decision in an opinion filed May 24, 2022. The claimant subsequently filed a notice of appeal to the Arkansas Court of Appeals.

Pursuant to Ark. R. App. P. Rule 3(b), the Commission may dismiss an appeal to the Court of Appeals only if the motion to dismiss is filed with the Commission before the record on appeal is filed with the Court, and if all parties to the appeal petition by a joint stipulation that the appeal is to be dismissed. *In Re Arkansas Rules of Appellate Procedure 3(b)*; 296 Ark. 580, 756 S.W.2d LXXV (1988).

In the present matter, the parties have not petitioned by a joint stipulation that the appeal is to be dismissed. The Full Commission therefore denies the respondents' motion.

IT IS SO ORDERED.

SCOTTY DALE DOUTHIT, Chairman

CHRISTOPHER L. PALMER, Commissioner

M. SCOTT WILLHITE, Commissioner