

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
AWCC FILE № H301532**

BRANDON L. JACKSON, EMPLOYEE

CLAIMANT

PRODUCERS RICE MILL, INC., EMPLOYER

RESPONDENT

**FARMINGTON CASUALTY CO./ TRAVELERS,
CARRIER/TPA**

RESPONDENT

OPINION FILED 10 February 2026

Heard before Arkansas Workers' Compensation Commission ("the Commission")
Administrative Law Judge JayO. Howe on 14 January 2026 in Little Rock, Arkansas.

The claimant appeared *pro se*.

Friday, Eldredge & Clark, LLP, Mr. Guy Alton Wade, appeared for the respondents.

STATEMENT OF THE CASE

A hearing on the respondents' Motion to Dismiss was held on this matter in Little Rock, Arkansas, on 14 January 2026. This case relates to an accepted compensable workplace injury that occurred on or about 9 October 2022. The record from the hearing consists of the transcript; Respondents' Exhibit № 1, which consisted of ten pages of documents and pleadings in support of their motion; and Commission's Exhibit № 1, two pages that included a Form AR-C filed by the claimant and a Postal Service delivery receipt from Commission correspondence with the claimant.

The evidence showed that the claimant filed a Form AR-C through counsel on 6 March 2024. The respondents filed a First Report of Injury indicating an injury had been reported to them on 9 October 2022. They subsequently filed a Form AR-2 indicating that the claim was accepted and that benefits were being paid accordingly.

Claimant's then-counsel later sought to be relieved from the matter; and the Full Commission entered an Order to that end on 30 August 2024.

On 6 November 2025, the respondents requested that this claim be dismissed for want of prosecution under the Commission Rule at 11 C.A.R. § 25-110(d). They noted that he had not requested a hearing on any issue ripe for litigation. Their exhibit evidenced that a payment for permanent partial disability benefits had been paid as part of the claim.

Notice of the respondents' motion was sent to the claimant, consistent with Commission practices, via First Class Mail and Certified Mail. Notice of a hearing on the respondents' motion was sent in the same manner. The claimant appeared at the hearing and objected to the dismissal of his claim. He argued that he believed that he was entitled to additional benefits beyond those that had already been provided

FINDINDGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the record as a whole, I hereby make the following findings of fact and conclusions of law in accordance with Ark. Code Ann. § 11-9-704 (Repl. 2012):

1. The Commission has jurisdiction over this matter.
2. The parties were provided with reasonable notice of the Motion to Dismiss and the hearing on the motion.
3. The evidence does not preponderate in favor of finding that the claimant has failed to prosecute his claim under 11 C.A.R. § 25-110(d).
4. The Motion to Dismiss is hereby denied without prejudice.
5. The claimant has requested a hearing on whether he is entitled to additional benefits.
6. This claim will proceed to a hearing on the merits.

DISCUSSION

The respondents appeared on 14 January 2026 and presented their motion. As argued by the respondents at the hearing, 11 C.A.R. § 25-110(d) provides for a dismissal for failure to prosecute an action upon application by either party and reasonable notice. As

noted above, notice of the respondents' motion and notice of the scheduling of the hearing was provided to the claimant.

The claimant appeared to argue against the dismissal of his claim. While he acknowledged that some benefits had been paid, including a payment for permanent partial disability benefits, the claimant stated that he believed that he was entitled to additional benefits. He requested a hearing while on the record and confirmed his contact information so that the parties could conduct discovery. Based on the evidence presented, a dismissal is not appropriate at this time. The claimant was advised that as a *pro se* litigant, he would be expected to communicate with the respondents in their collaborative efforts to advance the claim to a hearing.

Prehearing questionnaires will immediately be provided to the parties so that this matter may proceed to a hearing on the merits.

ORDER

The Motion to Dismiss is denied without prejudice.

SO ORDERED.

JAYO. HOWE
ADMINISTRATIVE LAW JUDGE