BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

AWCC FILE № H505631

SANDRA JEFFERSON, EMPLOYEE	**CLAIMANT**
ARISA HEALTH, EMPLOYER	**RESPONDENT**
ATA WORKERS' COMP SI TRUST, CARRIER/ RISK MANAGEMENT SOLUTIONS, TPA	**RESPONDENT**

OPINION FILED 22 JULY 2026

Heard before Arkansas Workers' Compensation Commission Administrative Law Judge JayO. Howe on 21 May 2026 in Helena-West Helena, Arkansas.

The *pro se* claimant did not appear.

Worley, Wood & Parrish, P.A., Mr. Jarrod S. Parrish, appeared for the respondents.

STATEMENT OF THE CASE

A hearing on the respondents' Motion to Dismiss was held on this matter in Helena-West Helena, Arkansas, on 21 May 2026. This case relates to alleged injuries occurring on or about 29 July 2025. The hearing record consists of the transcript, which includes Respondents' Exhibit № 1 (one index page and 13 pages of records offered in support of their motion).

A First Report of Injury was filed by the respondents on 29 July 2025. A Form AR-C was then filed by the claimant on 28 August 2025. By way of a Form AR-2 filing on 10 September 2025, the respondents indicated that the claim had been denied. The claimant was briefly represented by counsel who sought leave to withdraw from the case on 3 November 2025. Leave for the same was granted in an Order dated 6 January 2026.

On 3 March 2026, the respondents filed a motion seeking the dismissal of the claim for want of prosecution. They noted that no hearing had been requested in the six months preceding the filing of their motion.

Notice of the filing of that motion and subsequent notice of a hearing on that motion were sent to the claimant, consistent with Commission practices, via First Class and Certified mail. The claimant did not respond to either mailing. She did not file an objection or appear at the hearing to argue against the respondents' motion.

FINDINGS 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 preponderates that the claimant has failed to prosecute her claim under 11 C.A.R. § 25-110(d).

4. The Motion to Dismiss is hereby granted; this claim for initial benefits is dismissed without prejudice under 11 C.A.R. § 25-110(d).

DISCUSSION

The respondents appeared at the hearing, presented their motion, and admitted evidence into the record in support of 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 stated above, the claimant did not file an objection; nor did she attend the hearing to argue against the motion. The record contains no evidence of the claimant requesting a hearing in the six months preceding the filing of the respondents' motion.

Based on my review of the evidence presented by the respondents, a dismissal without prejudice is appropriate.

ORDER

Consistent with the findings of fact and conclusions of law set forth above, the Motion to Dismiss is hereby GRANTED. This claim for initial benefits is dismissed without prejudice.

SO ORDERED.

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JAYO. HOWE
ADMINISTRATIVE LAW JUDGE