

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H406062

JAMES JONES, Employee	CLAIMANT
ARK DEPT OF TRANSPORTATION, Employer	RESPONDENT
PUBLIC EMPLOYEE CLAIMS DIVISION, Carrier	RESPONDENT

OPINION FILED JANUARY 8, 2026

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Harrison, Boone County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by CHARLES H. MCLEMORE, 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 August 29, 2024, claimant reported an injury to his right knee on August 15, 2023. Respondent has controverted that claim in its entirety. By letter dated March 25, 2025, claimant requested a hearing on his claim. Claimant did not complete a prehearing questionnaire; therefore, no prehearing conference was conducted, and a hearing was not scheduled. The file was returned to General Files until respondent filed a motion to dismiss the claim on September 18, 2025.

A hearing on the respondents' Motion to Dismiss was scheduled for December 18, 2025. Notice of the hearing was sent to claimant by certified mail at his last known

address and was delivered on October 20, 2025. Claimant did not appear at the hearing and has not responded to the respondents' Motion to Dismiss.

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 failure to respond thereto or appear at the hearing or respond to the respondents' Motion to Dismiss, 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