

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H404293

CARMELINA JUAN, Employee	CLAIMANT
SCOTT QUEEN, LLC, Employer	RESPONDENT
ACCIDENT FUND INS. CO., Carrier	RESPONDENT

OPINION FILED NOVEMBER 25, 2205

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Fort Smith, Sebastian County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by KAREN H. MCKINNEY, Attorney at Law, Little Rock, Arkansas.

STATEMENT OF THE CASE

This case comes on for review following a hearing on respondent's second Motion to Dismiss.

A prior hearing on respondent's Motion to Dismiss was conducted on March 12, 2025. Claimant appeared at that hearing and stated that she did not want her case dismissed and was requesting payment of medical bills. Claimant agreed to provide attorney McKinney with copies of those unpaid bills. Following this hearing, an Opinion was filed on March 26, 2025, denying respondent's Motion to Dismiss.

On August 15, 2025, respondent filed its second Motion to Dismiss, stating that after the March 12, 2025, hearing, claimant emailed copies of her unpaid bills to attorney McKinney. Respondent, in turn, paid those bills and attached to its most recent

motion proof of payment. Respondent now contends that a motion to dismiss is proper given that the outstanding bills have been paid and there are no issues to be resolved.

A hearing on the respondent's second Motion to Dismiss was scheduled for November 5, 2025. Notice of the hearing was sent to claimant by certified mail and was delivered on October 8, 2025. Claimant did not appear at the hearing and has not responded to the respondent's Motion to Dismiss.

After my review of the respondent's motion, the claimant's failure to respond thereto, and all other matters properly before the Commission; including, documentary evidence indicating that prior unpaid bills have now been paid, I find that respondent's second Motion to Dismiss should be and hereby is granted. This dismissal is without prejudice and is pursuant to Commission Rule 099.13 (not codified at 11 §CAR 25-110).

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE