

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H307861**

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| STEVEN E. KELEMS, EMPLOYEE | CLAIMANT |
| NIDEC MOTOR CORPORATION, EMPLOYER | RESPONDENT |
| TRAVELERS INDEMNITY COMPANY/INSURANCE CARRIER | RESPONDENT |

OPINION/ORDER FILED **DECEMBER 12, 2024**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Fort Smith, Sebastian County, Arkansas.

Claimant is *pro se* and did not attend the hearing.

Respondents are represented by GUY A. WADE, Attorney, Little Rock Arkansas

OPINION/ORDER

On March 6, 2024, claimant filed Form AR-C, alleging a compensable injury on October 13, 2023. Claimant was represented at the time by Laura Beth York, who filed a motion to withdraw on May 3, 2024 and was allowed to withdraw on June 4, 2024.

On September 17, 2024, respondent filed a Motion to Dismiss, alleging that it had been more than six months since claimant filed his Form AR-C with the Commission, but he had not made a request for a hearing in that time. A hearing on respondent's Motion to Dismiss was scheduled for December 2, 2024. Notice of the scheduled hearing was sent to Claimant by certified mail at the last known address in the Commission's file. The notice was returned unclaimed on October 31, 2024. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on December 2, 2024.

I find it has been more than six months since prior to this hearing and that no request for a

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hearing has been made in this file. After my review of the respondent's motion, the claimant's lack of response and failure to attend the hearing for the respondent's motion, as well as all other matters properly before the Commission, I find that respondent's Motion to Dismiss this claim should be and hereby is granted. This dismissal is pursuant to Commission Rule 099.13 and is without prejudice.

IT IS SO ORDERED.

JOSEPH C. SELF
ADMINISTRATIVE LAW JUDGE