

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H303281**

SYDNEY M. KENEDY, EMPLOYEE	CLAIMANT
HORSESHOE CANYON RANCH LLC, EMPLOYER	RESPONDENT
AMTRUST NORTH AMERICA/INSURANCE CARRIER	RESPONDENT

OPINION/ORDER FILED **JANUARY 2, 2025**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Springdale, Washington County, Arkansas.

Claimant is pro se and did not appear at the hearing.

Respondents are represented by WILLIAM C. FRYE, Attorney, North Little Rock Arkansas

OPINION/ORDER

On April 11, 2024, claimant filed Form AR-C, alleging a compensable injury on May 5, 2023. Claimant was represented at the time by Mark A. Peoples, who filed a motion to withdraw on August 26, 2024 and was allowed to withdraw on October 3, 2024.

On October 7, 2024, respondent filed a Motion to Dismiss, alleging that it had been more than six months since claimant filed her Form AR-C with the Commission, but she had not made a request for a hearing in that time. A hearing on respondent's Motion to Dismiss was scheduled for December 19, 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 November 14, 2024. Claimant did not respond to respondent's motion and did not appear in person at the hearing on December 19, 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