

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM NO. H305993**

**CLIFTON B. KING, EMPLOYEE**

**CLAIMANT**

**SOUTHEAST CONNECTIONS, LLC,  
EMPLOYER**

**RESPONDENT**

**ZURICH AMERICAN INSURANCE,  
INSURANCE CARRIER/TPA**

**RESPONDENT**

**OPINION AND ORDER FILED SEPTEMBER 30, 2025**

**The Hearing before Administrative Law Judge James D. Kennedy in Little Rock, Arkansas, was held on September 16, 2025.**

**Claimant failed to appear.**

**Respondents were represented by Michael C. Stiles, of Little Rock, Arkansas.**

**STATEMENT OF THE CASE**

A hearing was held in the above styled matter on the 16<sup>th</sup> day of September, 2025, in Little Rock, Arkansas, on Respondent's Motion to Dismiss for failure to prosecute pursuant to Arkansas Code Ann. 11-702 and Rule 099.13 of the Arkansas Workers' Compensation Commission, which has recently been renamed 11 C.A.R. 25-110(d) and will be referred to by that name in the remainder of this opinion. The claimant was pro se and failed to appear. The respondents were represented by Michael C. Stiles of Little Rock, Arkansas.

A Form AR-C was filed by the Claimant through his attorney on September 15, 2023, alleging injuries to his shoulder on September 15, 2023. As reflected on Form AR-2 filed with the Commission on September 25, 2023, the Respondents accepted the claim as compensable, medical only, for the left shoulder. The Claimant's attorney, Mark

Peoples filed a Motion to Withdraw on December 27, 2023, and an Order by the Full Commission dated January 9, 2025, allowed the Claimant's attorney to withdraw.

A Motion to Dismiss Without Prejudice along with a Brief in Support of the Motion, was filed on July 11, 2025, requesting that the matter be dismissed without prejudice pursuant to 11 C.A.R. 25 -110(d) of the Arkansas Workers' Compensation Commission for failure to prosecute, or in the alternative that the matter be dismissed without prejudice pursuant to A.C.A. 11-9-702 (a)(4) which provides for dismissal of a claim if no bona fide request for a hearing has been made within six (6) months of the filing of his claim. No response was filed by the Claimant in regard to the motion. The Motion to Dismiss alleged that at no time since January 9, 2024, has the Claimant ever requested a hearing in regard to this matter, despite the passage of eighteen (18) months.

After proper notice, a hearing was held on September 16, 2025, and the claimant failed to appear. The Respondents were represented by Michael C. Stiles., who requested that the matter be dismissed pursuant to 11 C.A.R. 110(d) of the Arkansas Workers' Compensation Commission and A.C.A. 11-9-702 (a)(4).

**ORDER**

Pursuant to the above statement of the case, documents entered into the record, and statements by the Attorney for the Respondents, there is no alternative but to grant the Motion to Dismiss without prejudice pursuant to 11 C.A.R. 110(d) of the Arkansas Workers' Compensation Commission and A.C.A. 11-9-702 (a)(4).

IT IS SO ORDERED.

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JAMES D. KENNEDY  
ADMINISTRATIVE LAW JUDGE