BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H501154

JOSHUA KNIGHT, Employee	**CLAIMANT**
CITY OF FAYETTEVILLE, Employer	**RESPONDENT**
ARKANSAS MUNICIPAL LEAGUE, Carrier	**RESPONDENT**

OPINION FILED JULY 28, 2026

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS in Fort Smith, Sebastian County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by MARY K. EDWARDS, Attorney at Law, Little Rock, Arkansas.

STATEMENT OF THE CASE

This case comes on for review following a hearing on respondents' Motion to Dismiss.

On February 21, 2025, the claimant filed an AR-C requesting various compensation benefits in which he alleged an injury to his right shoulder on or about February 1, 2025. On March 14, 2025, the claimant requested and received a Change of Physician to Dr. Chad Songy. Dr. Songy performed a right arthroscopic rotator cuff repair on May 30, 2025. Dr. Songy released the claimant to return to full duty on January 1, 2026, and on January 19, 2026, Dr. Songy placed the claimant at maximum medical improvement. After an evaluation on February 3, 2026, the claimant was assigned a 1% impairment rating, which the respondents have paid in full. No further action was taken in this claim.

On April 24, 2026, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for July 14, 2026. Notice of that

hearing was sent to the claimant by certified mail, return receipt requested on June 2, 2026. United States Postal Department records indicate that claimant received and signed for the notice on June 6, 2026. The claimant did not appear at the hearing.

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 a review of the respondents' Motion to Dismiss, the claimant's lack of desire to pursue his claim, and his failure to appear at the scheduled hearing, as well as 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.

HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE