

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
AWCC FILE № H503802**

JUSTIN E. LANTRIP, EMPLOYEE

CLAIMANT

HIGHLAND PELLETS, LLC, EMPLOYER

RESPONDENT

**GRANITE STATE INS. CO./GALLAGHER BASSETT
SERVICES, INC., CARRIER/TPA**

RESPONDENT

OPINION FILED 30 MARCH 2026

Heard before Arkansas Workers' Compensation Commission ("the Commission")
Administrative Law Judge JayO. Howe on 12 March 2026 in Pine Bluff, Arkansas.

Rainwater, Holt & Sexton, P.A., Ms. Laura Beth York, waived appearing.

Worley, Wood & Parrish, P.A., Mr. Jarrod Parrish, appeared for the respondents.

STATEMENT OF THE CASE

A hearing on the respondents' Motion to Dismiss was held on this matter in Pine Bluff, Arkansas, on 12 March 2026. This case relates to an alleged workplace injury occurring on 17 June 2025. The record of the hearing consists of the transcript and Respondents' Exhibit № 1, which consisted of one index page and ten subsequent pages of filings and correspondence.

Claimant's counsel filed a Form AR-C relating to this claim on 25 July 2025. That form indicated that the claimant was seeking all benefits potentially available in relation to his alleged injury. Counsel for the respondents entered an appearance on the same day.

On 11 February 2026, the respondents submitted their request for a dismissal without prejudice. They noted that the claim had been accepted, that some benefits had been paid, and that the claimant had not requested a hearing on any issue that was ripe for

litigation. The motion specifically cited 11 CAR § 25-110(d) and Ark. Code Ann. § 11-9-702 as grounds for dismissal.

Claimant's counsel submitted a response to the motion on 13 February 2026. [Resp. Ex. № 1.] The claimant did not object to a dismissal as long as the dismissal would be entered without prejudice. He further waived his appearance based on the same.

FINDINDGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the record as a whole, I hereby make the following findings of fact and conclusions of law in accordance with Ark. Code Ann. § 11-9-704 (Repl. 2012):

1. The Commission has jurisdiction over this matter.
2. The parties were provided with reasonable notice of the Motion to Dismiss and the hearing on the motion.
3. The evidence preponderates that the claimant has failed to prosecute his claim under 11 C.A.R. § 25-110(d).
4. The Motion to Dismiss is hereby granted; this claim is dismissed without prejudice under 11 C.A.R. § 25-110(d).

DISCUSSION

The respondents appeared on 12 March 2026 and presented their motion. As argued by the respondents at the hearing, 11 C.A.R. § 25-110(d) provides for a dismissal for failure to prosecute an action upon application by either party and reasonable notice. The claimant did not object to his claim being dismissed without prejudice.

The claimant filed his Form AR-C on 25 July 2025. He has not since requested that the Commission take any action on this claim. Having been provided notice of the respondents' motion, he did not object to a dismissal *without prejudice* and waived appearing at the hearing on that basis. Having reviewed the record evidence, a dismissal without prejudice is appropriate.

ORDER

The Motion to Dismiss is GRANTED, and this matter is DISMISSED WITHOUT PREJUDICE.

SO ORDERED.

JAYO. HOWE
ADMINISTRATIVE LAW JUDGE