

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H005839

TERESA ROSBIA LAWS, Employee	CLAIMANT
CONAGRA FOODS, Employer	RESPONDENT
ACE AMERICAN INSURANCE CO./BROADSPIRE, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED JULY 26, 2021

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Fort Smith, Sebastian County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondent represented by JARROD S. PARRISH, Attorney, Little Rock, Arkansas.

OPINION/ORDER

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

On September 22, 2020, Form AR-C was filed on claimant's behalf by her attorney, Laura Beth York, alleging a compensable injury on September 20, 2019, and requesting various compensation benefits. A hearing was never scheduled on this claim, and by Order dated May 26, 2021, Attorney York was allowed to withdraw as claimant's counsel. No further action was taken until respondent filed its Motion to Dismiss on June 7, 2021. A hearing on respondent's motion was scheduled for July 19, 2021. Notice of the scheduled hearing was sent to claimant by certified mail, and in response claimant contacted my assistant, Janie McGaugh, and indicated that she did not object to the dismissal and did not plan on attending the hearing. Ms. McGaugh informed her that the

hearing would continue as scheduled, but that a memo to the file would be created indicating that claimant was not attending the hearing and did not object to the dismissal, and that a copy of that memo would be submitted into the record.

After my review of the respondent's motion, the claimant's indication that she has no objection to the dismissal, 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 it is without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE