

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H109418**

DOYLE A MCDONALD, EMPLOYEE	CLAIMANT
GERDAU USA INC., EMPLOYER	RESPONDENT
ESIS INC., INSURANCE CARRIER	RESPONDENT

OPINION/ORDER FILED **SEPTEMBER 1, 2022**

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

Claimant not represented by counsel and not appearing at the hearing.

Respondents are represented by JAMES A. ARNOLD, II, Attorney, Fort Smith, Arkansas

OPINION/ORDER

On November 30, 2021, claimant filed Form AR-C, alleging a compensable injury on August 30, 2021. Claimant was not represented by an attorney when the AR-C was filed, and is still pro se.

On June 3, 2022, respondent filed a Motion to Dismiss, alleging that it had been more than six months since claimant filed his Form AR-C with the Commission, but he had not made a request for a hearing in that time. A hearing on respondent's Motion to Dismiss was scheduled for August 23, 2022. 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 delivered to claimant on June 9, 2022. Claimant did not respond to respondent's motion and did not appear in person at the hearing on August 23, 2022.

I find it has been more than six months since prior to this hearing and that no request for a 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

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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