

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H406382

RODNEY MCGAUGHY, Employee	CLAIMANT
OK FOODS, INC., Employer	RESPONDENT
OK FOODS, INC., Carrier	RESPONDENT

OPINION FILED JANUARY 8, 2026

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

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by ERIN RAMBO, Attorney at Law, Fort Smith, Arkansas.

STATEMENT OF THE CASE

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

On October 1, 2024, attorney Laura Beth York filed Form AR-C alleging an injury to claimant's back on September 17, 2024. Respondent had accepted an injury to claimant's left low extremity in the form of a sprain but controverted any liability for indemnity benefits or compensability of an injury to the claimant's thoracic spine. Attorney York eventually filed a Motion to Withdraw as Counsel and this motion was granted by the Full Commission in an Order filed October 1, 2025. Since that time, the claimant has not requested a hearing and has not taken any steps to proceed with this claim.

On October 3, 2025, respondent filed a Motion to Dismiss. A hearing was scheduled on the respondent's motion for December 15, 2025. Notice of the hearing was sent to the claimant's last known address by certified mail and was returned as "Unclaimed". Claimant did not appear at the hearing and has not responded to the respondent's Motion to Dismiss.

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 my review of the respondent's motion, the claimant's failure to respond thereto, and 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.

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GREGORY K. STEWART  
ADMINISTRATIVE LAW JUDGE