

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM NO. H200324**

**ARMILDA J. MORLEY, EMPLOYEE**

**CLAIMANT**

**NETWORK OF COMMUNITY OPTIONS, INC.,  
EMPLOYER**

**RESPONDENT**

**ATA WC TRUST/ RISK MANAGEMENT RESOURCES,  
INSURANCE CARRIER/TPA**

**RESPONDENT**

**OPINION FILED MAY 2, 2022**

**Hearing before Administrative Law Judge James D. Kennedy in Batesville, Arkansas, on April 27, 2022.**

**Claimant is *Pro Se* and appeared on her own behalf with her husband.**

**Respondents are represented by Mr. Jarrod S. Parrish, Attorney-at-Law, of Little Rock, Arkansas.**

**STATEMENT OF THE CASE**

A hearing was held in the above-styled matter on April 27, 2022, in Batesville, Arkansas, on respondent's Motion to Dismiss for failure to prosecute pursuant to Rule 099.13 of the Arkansas Workers' Compensation Act. The claimant announced that she no longer wished to pursue her workers' compensation claim and had no objection to the matter being dismissed. The claimant had filed a Form AR-C on January 12, 2022, requesting a hearing to address compensability of her claim, contending that she was injured on the job on December 30, 2021. The respondents filed a Form AR - 2 on or about January 17, 2022, denying the claim. On or about February 11, 2022, the claimant sent an email, stating that after talking to several attorneys, she was no longer seeking to pursue her workers' compensation claim.

The respondents filed a Motion to Dismiss on February 18, 2022, contending that the claimant had provided she no longer intended to pursue her claim and that it should be dismissed pursuant to Rule 099.13 of the Arkansas Rules of Workers' Compensation

A hearing was set for April 27, 2022, in regard to the motion of dismissal. The claimant appeared at the hearing, after the appropriate notice was provided, and announced that she no longer wanted to pursue her workers' compensation claim and had no objection to the matter being dismissed. At the time of the hearing, Jarrod Parrish appeared on behalf of the respondents.

After a review of the record as a whole, to include all evidence properly before the Commission, and having had an opportunity to hear the statements of the respondent's attorney, there is no alternative but to find that the Motion to Dismiss should be granted at this time, and the matter should be dismissed without prejudice.

**ORDER**

Pursuant to the above, there is no alternative but to find that the Motion to Dismiss should be granted and this matter should be dismissed without prejudice at this time.

**IT IS SO ORDERED.**

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JAMES D. KENNEDY  
ADMINISTRATIVE LAW JUDGE