BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. H508191

JULIE NICHOLS, EMPLOYEE	**CLAIMANT**
BOST, INC., EMPLOYER,	**RESPONDENT**
ATA WC TRUST/ **RISK MANAGEMENT RESOURCES, CARRIER/TPA**	**RESPONDENT**

OPINION AND ORDER FILED SEPTEMBER 16, 2026

A Hearing before Administrative Law Judge James D. Kennedy in Fort Smith, Arkansas, was held on September 8, 2026.

Claimant was pro-se and failed to appear.

Respondents were represented by Melissa Wood, of Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above styled matter on the 8th day of August 2026, in Fort Smith, Arkansas, on Respondent's Motion to Dismiss for failure to prosecute pursuant to 11 C.A.R. §25-110(d) which was previously named Rule 099.13 of the Arkansas Workers' Compensation Commission and Arkansas Code Ann.§11-9-702. The claimant was pro se and failed to appear. The Respondents were represented by Melissa Wood of Little Rock, Arkansas. The Claimant had previously been represented by Mark Peoples, who was allowed to withdraw by an Order of the Full Commission, dated May 27, 2026. The Claimant failed to appear at the hearing.

A Motion to Dismiss was filed on or about June 30, 2026. A First Report of Injury had been filed on December 21, 2025. The claimant alleged an injury to her right ankle and filed a Form C on December 30, 2025. A Form AR- 2 was filed on January 2, 2026, which provided this was a medical only claim. The claim was accepted as compensable,

and appropriate benefits have been paid. The Claimant has not sought any type of bona fide hearing before the Workers' Compensation Commission over the last six months.

After proper and reasonable notice, a hearing was held on September 8, 2026, and the Claimant failed to appear. The Respondents were represented by Melissa Wood, who requested that the matter be dismissed pursuant to 11 C.A.R. §25-110(d) of the Arkansas Workers' Compensation Commission and the provisions of Arkansas Code Ann. §11-9-702.

ORDER

Pursuant to the above statement of the case, documents entered into the record, and statements by the Attorney for the Respondents, there is no alternative but to grant the Motion to Dismiss without prejudice pursuant to 11 C.A.R. §25-110(d) of the Arkansas Workers' Compensation Commission and A.C.A. §11-9-702, based upon the Claimant failing to prosecute her claim within the last six months and after a meritorious application to the Commission by the Respondent requesting that the claim be dismissed after reasonable notice to all parties. If not already paid, the respondents are ordered to pay the applicable fee to the court reporter.

IT IS SO ORDERED.

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JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE