BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H600571

KATINA OSBURN, Employee	**CLAIMANT**
BIRCH TREE COMMUNITIES, INC., Employer	**RESPONDENT**
RISK MANAGEMENT SOLUTIONS, Carrier	**RESPONDENT**

OPINION FILED SEPTEMBER 15, 2026

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS in Russellville, Pope County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by JARRID S. PARRISH, Attorney at Law, Little Rock, Arkansas.

STATEMENT OF THE CASE

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

On February 2, 2026, the claimant's attorney, Jarid Kinder, filed an AR-C requesting various compensation benefits which alleged injuries to the claimant's abdomen and upper extremity on or about January 1, 2026. On April 23, 2026, Mr. Kinder filed a Motion to Withdraw as Counsel and that motion was granted by the administrative law judge by Order filed April 24, 2026. No further action was taken on this claim.

On May 1, 2026, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for June 19, 2026. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on May 19, 2026. United States Postal Department records indicate that claimant received and signed for the notice on May 27, 2026. The claimant did not appear at the hearing.

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 a review of the respondents' Motion to Dismiss, the claimant's lack of desire to pursue her claim, and her failure to appear at the scheduled hearing, as well as 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.

HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE