

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H307052**

JUAN CARLOS SUSTAITA PARGA, EMPLOYEE	CLAIMANT
FRANK SHARUM LANDSCAPE DESIGN INC., EMPLOYER	RESPONDENT
CNA INSURANCE COMPANY, INSURANCE CARRIER	RESPONDENT

OPINION/ORDER FILED **MAY 2, 2024**

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

Claimant is represented by MARK ALAN PEOPLES, Attorney, Little Rock, Arkansas; however, claimant and his attorney did not appear at the hearing.

Respondents are represented by TODD WOOTEN, Attorney, Little Rock, Arkansas

OPINION/ORDER

On November 4, 2023, claimant filed Form AR-C, alleging a compensable injury on October 24, 2023. Claimant was represented at the time by Mark Alan Peoples.

On January 10, 2024, claimant's attorney Mr. Mark Alan Peoples filed a Motion to Dismiss, alleging that claimant does not wish to pursue this claim and asks that it be withdrawn. On March 1, 2024, claimant's attorney advised the Commission he had no objection to the Motion to Dismiss proceeding to a hearing, and that he would not attend the hearing. A hearing on claimant's Motion to Dismiss was scheduled for April 23, 2024. 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 March 6, 2024. Claimant did not respond to the motion filed by his attorney and did not appear in person at the hearing on April 23, 2024. Mr. Todd Wooten did appear on behalf of respondents and joined in the Motion to Dismiss.

After my review of the claimant's motion, the claimant's failure to attend the hearing for his

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motion, the respondents' agreement to claimant's motion, as well as all other matters properly before the Commission, I find that claimant's Motion to Dismiss this claim should be and 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