

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM NO. H304517**

**ANA L. PARKER, EMPLOYEE**

**CLAIMANT**

**CONWAY FAMILY DENTAL, EMPLOYER**

**RESPONDENT**

**MARKEL SERVICE INCORPORATED IS THE  
SERVICING ENTITY FOR THE WORKERS'**

**COMPENSATION CARRIER, FIRSTCOMP INSURANCE**

**RESPONDENT**

**OPINION FILED MAY 28, 2024**

**Hearing before Administrative Law Judge James D. Kennedy in Little Rock,  
Arkansas on May 21, 2024.**

**Claimant is pro se and failed to appear.**

**Respondents are represented by their attorney, Amelia Botteicher, Little Rock,  
Arkansas.**

**STATEMENT OF THE CASE**

A hearing was held in the above styled matter on May 21, 2024, in Little Rock, Arkansas, on respondent's Motion to Dismiss for failure to prosecute pursuant to Arkansas Code Ann. 11-9-702 and Rule 13 of the Workers' Compensation Act. The

claimant was Pro Se and originally filed a Form AR-C on August 30, 2023, claiming temporary partial and other benefits. A Form AR- 2 was filed on or about September 28, 2023, and also on July 18, 2023, accepting the injury to the right hand and long finger, but denying the claim to the right shoulder. At the time of the above hearing, the claimant was pro se and failed to appear for the hearing.

A Request to Dismiss the Claim and the cover letter provided notice for the filing dated March 11, 2024, which requested that the matter be dismissed for lack of prosecution. The claimant has not requested a hearing to date and more than six months have passed since the filing of the original claim.

Appropriate notice was provided to the claimant notifying her that a hearing on the Motion to Dismiss was set for May 21, 2024, in Little Rock, Arkansas. The claimant did not file a response and failed to appear on the hearing date. At the time of the hearing, Amelia Botteicher appeared on behalf of the Respondents and asked that the matter be dismissed for lack of prosecution.

After a review of the record as a whole, to include all evidence properly before the Commission, and having an opportunity to hear the statements of the attorney for the Respondent, I find that this matter should be dismissed without prejudice, for failure to prosecute pursuant to A.C.A. 11-9-702 and Rule 099.13 of the Arkansas Workers' Compensation Act.

### **ORDER**

Pursuant to the above statement of the case, there is no alternative but to dismiss this claim in its entirety, without prejudice, for failure to prosecute.

---

JAMES D. KENNEDY  
ADMINISTRATIVE LAW JUDGE