

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. G904721

JONATHAN C. PIKE,
EMPLOYEE

CLAIMANT

CLARENDON ELEMENTARY SCHOOL,
EMPLOYER

RESPONDENT

ARKANSAS SCHOOL BOARDS ASSOC. WCT,
INSURANCE CARRIER/TPA

RESPONDENT

OPINION FILED OCTOBER 29, 2021

Upon review before the FULL COMMISSION in Little Rock, Pulaski County, Arkansas.

Claimant is *pro se*.

Respondents represented by the HONORABLE MELISSA WOOD, Attorney at Law, Little Rock, Arkansas.

ORDER

The respondents move to dismiss the claimant's appeal to the Arkansas Court of Appeals. The Full Commission denies the respondents' motion.

An administrative law judge filed an opinion on February 24, 2021 and found that the claimant failed to prove he sustained a compensable back injury. The Full Commission affirmed and adopted the administrative law judge's decision in an opinion filed June 16, 2021. The claimant filed a timely notice of appeal to the Arkansas Court of Appeals.

The respondents state, among other things, that the claimant has not timely perfected his appeal to the Court of Appeals. Pursuant to Ark. R. App. P. Rule 3(b), the Commission may dismiss an appeal to the Arkansas

Court of Appeals only if the motion to dismiss is filed with the Commission before the record on appeal is filed with the Court, and if all parties to the appeal petition by a joint stipulation that the appeal is to be dismissed. *In Re Arkansas Rules of Appellate Procedure 3(b)*; 296 Ark. 580, 756 S.W.2d LXXV (1988).

In the present matter, our file indicates that the claimant has not filed the record on appeal to the Court of Appeals. Nevertheless, the parties have not petitioned by a joint stipulation that the appeal is to be dismissed. The Full Commission therefore denies the respondents' motion.

IT IS SO ORDERED.

SCOTTY DALE DOUTHIT, Chairman

CHRISTOPHER L. PALMER, Commissioner

M. SCOTT WILLHITE, Commissioner