

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**WCC NO. G601045**

<b>DARRELL REDDEN, Employee</b>	<b>CLAIMANT</b>
<b>WORKSOURCE, INC., Employer</b>	<b>RESPONDENT NO. 1</b>
<b>GALLAGHER BASSETT, Carrier</b>	<b>RESPONDENT NO. 1</b>
<b>DEATH &amp; PERMANENT TOTAL DISABILITY TRUST FUND</b>	<b>RESPONDENT NO. 2</b>

**OPINION/ORDER FILED MAY 4, 2021**

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS, in Fort Smith, Sebastian County, Arkansas.

Claimant is *Pro Se*; not present at this hearing.

Respondent No. 1 represented by JAMES A. ARNOLD, II, Attorney at Law, Fort Smith, Arkansas.

Respondent No. 2 represented by CHRISTY KING, Attorney at Law, Little Rock, Arkansas; waived appearance at this hearing.

**OPINION/ORDER**

This case comes on for review following a hearing on Respondent No. 1's Motion to Dismiss.

On August 30, 2016, claimant's previous attorney, Wesley Cottrell, filed an AR-C requesting various compensation benefits. Mr. Cottrell withdrew as attorney for the claimant on October 27, 2016. On October 31, 2016, Attorney Evelyn E. Brooks filed an AR-C requesting various benefits on claimant's behalf. On January 18, 2021, Ms. Brooks filed a Motion to Withdraw as counsel for the claimant. On January 28, 2021, the Full Commission entered an Order allowing Ms. Brooks to withdraw as counsel for the claimant. Therefore, on February 12, 2021, Respondent No. 1 filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing on the Motion was scheduled for April 29, 2021. On February 26, 2021, a Notice of Hearing was mailed to the claimant at his last known mailing address by certified mail. A proof of delivery log from the United States Postal Service indicates that the

Hearing Notice was delivered and signed for by someone at the claimant's current mailing address. However, the claimant did not appear at the scheduled hearing.

After my review of Respondent No. 1's Motion to Dismiss, the claimant's lack of response thereto, and all other matters properly before the Commission, I find that respondents' Motion to Dismiss this claim should be and hereby is granted pursuant to Commission Rule 099.13. This dismissal is without prejudice.

**IT IS SO ORDERED.**

---

**HONORABLE ERIC PAUL WELLS  
ADMINISTRATIVE LAW JUDGE**