BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H602238

PATRICK RIMSEY, EMPLOYEE	**CLAIMANT**
ALPINE ACQUISTION, EMPLOYER	**RESPONDENT**
THE HARTFORD INSURANCE, CO., CARRIER/TPA	**RESPONDENT**

OPINION AND ORDER FILED NOVEMBER 4, 2026

A Hearing before Administrative Law Judge James D. Kennedy in Springdale, Arkansas, was held on October 28, 2026.

Claimant was pro-se and failed to appear.

Respondents were represented by Randy P. Murphy, of Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above styled matter on the 28th day of October 2026, in Springdale Arkansas, on Respondent's Motion to Dismiss for failure to prosecute pursuant to 11 C.A.R. 25-110(d) which was previously named Rule 099.13 of the Arkansas Workers' Compensation Commission and Arkansas Code Ann.11-9-702. The claimant was pro se and failed to appear. The Respondents were represented by Randy P. Murphy of Little Rock, Arkansas. The Claimant had previously been represented by Mark Peoples, who was allowed to withdraw by an Order of the Full Commission, dated June17, 2026. The Claimant failed to appear at the hearing.

A Motion to Dismiss was filed on or about July 17th, 2026, contending that the claimant had not sought any type of bona fide hearing before the Workers' Compensation Commission over the last six months. A First Report of Injury had been filed on April 10,

2026, which provided that the claimant employee did not report an injury March 27, which was the last day worked prior to him reporting an injury to the plant manager. The claimant employee called out sick on Monday, March 30, by leaving a voicemail. The Claimant filed an AR – C on April 11, 2026, that he had injured his neck and shoulder in a work accident. A Form AR- 2 was filed on April 13, 2026, which provided that no accident or injury occurred in the course of employment.

After proper and reasonable notice, a hearing was held on October 28th, 2026, and the Claimant failed to appear. The Respondents were represented by Randy P. Murphy, who requested that the matter be dismissed pursuant to 11 C.A.R. §25-110(d) of the Arkansas Workers' Compensation Commission and the provisions of Arkansas Code Ann. §11-9-702.

ORDER

Pursuant to the above statement of the case, documents entered into the record, and statements by the Attorney for the Respondents, there is no alternative but to grant the Motion to Dismiss without prejudice pursuant to 11 C.A.R. §25-110(d) of the Arkansas Workers' Compensation Commission and A.C.A. §11-9-702, based upon the Claimant failing to prosecute his claim within the last six months and after a meritorious application to the Commission by the Respondent requesting that the claim be dismissed after reasonable notice to all parties. If not already paid, the respondents are ordered to pay the applicable fee to the court reporter.

IT IS SO ORDERED.

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JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE