BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H502107

JUDY ROWE, EMPLOYEE	**CLAIMANT**
VS.	
SERVICE MASTER by QUALTIY RESTORATION, EMPLOYER	**RESPONDENT**
CAROLINA CASUALTY CO./BERKLEYNET, CARRIER/TPA	**RESPONDENT**

OPINION AND ORDER FILED AUGUST 26, 2026

A Hearing before Administrative Law Judge James D. Kennedy in Springdale, Arkansas, was held on July 29, 2026.

Claimant was pro-se and failed to appear.

Respondents were represented by Karen H. McKinney, of Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above styled matter on the 29th day of July 2026, in Springdale, Arkansas, on Respondent's Motion to Dismiss for failure to prosecute pursuant to Arkansas Code Ann. §11-9-702 and 11 C.A.R. §25-110(d), previously named Rule 099.13 of the Arkansas Workers' Compensation Commission. The claimant was pro se and failed to appear. The Respondents were represented by Karen H. McKinney of Little Rock, Arkansas. The Claimant had previously been represented by Andy Caldwell, who was allowed to withdraw by an Order from Administrative Law Judge, Joseph Self, dated December 12th, 2025.

A Motion to Dismiss was filed on March 4, 2026. The claimant filed a Pro Se AR-C Form on April 7, 2025, and later filed a second AR-C on July 9, 2025, through her attorney at the time, Andy Caldwell. A Prehearing Telephone Conference was scheduled and held, and a hearing was scheduled, but later cancelled and the file was returned to

general files. The claimant stated at one point that she wished to pursue her claim after her attorney was allowed to withdraw and filed a Pro Se Pre-Hearing Questionnaire on or about April 22, 2026. In the process of again setting a Prehearing Telephone Conference, claimant notified the Commission that she wished to withdraw her request for a hearing. Additionally, the claimant has failed to file a response to the Motion to Dismiss.

After proper and reasonable notice, a hearing was held on July 29, 2026, and the Claimant failed to appear. The Respondents were represented by Karen H. McKinney who requested that the matter be dismissed pursuant to 11 C.A.R. §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. §110(d) of the Arkansas Workers' Compensation Commission and A.C.A. §11-9-702, based upon the Claimant failing to prosecute her claim and after a meritorious application to the Commission by the Respondents requesting that the claim be dismissed after reasonable notice to all parties.

IT IS SO ORDERED.

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JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE