

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION  
CLAIM NO.: H104258**

VICTORIA RYLES, Employee	CLAIMANT
GOODWILL INDUSTRIES OF ARK., INC., Self-Insured Employer	RESPONDENT
ATA WORKERS' COMPENSATION SELF-INSURED TRUST, Carrier	RESPONDENT
RISK MANAGEMENT RESOURCES, TPA	RESPONDENT

**OPINION AND ORDER FILED JUNE 30, 2022**

Hearing conducted before ADMINISTRATIVE LAW JUDGE TERRY DON LUCY, in Pulaski County, Arkansas.

Counsel for the Claimant: *pro se*.

Counsel for the Respondents: HONORABLE CAROL L. WORLEY AND HONORABLE JARROD S. PARRISH, Attorney at Law, Little Rock, Arkansas.

The above-captioned matter came on for a hearing on June 28, 2022, before the undersigned Administrative Law Judge with respect to the Respondents' Motion to Dismiss filed on February 28, 2022, subsequently deemed renewed by the undersigned Administrative Law Judge on May 23, 2022. When the hall was sounded at the appointed time for the hearing, the Claimant was not present for such, nor did she appear during the ensuing proceedings. The Respondents appeared through one of their counsels, the Honorable Jarrod S. Parrish. During the proceedings, the Commission's file in this matter was deemed incorporated by reference into the record without objection for purposes of this Opinion and Order. Respondents' Exhibit No. 1 was likewise admitted into the record without objection.

Both the Commission's file and Respondents' Exhibit No. 1 reflect that the Claimant advised the Commission by way of correspondence dated and filed May 18, 2022, that "no hearing from Judge Lucy is necessary have a good day." (See Commission file and RX 1 at 19)

The Commission's file further reflects that notice of the scheduled hearing was sent by the Commission to the parties via first-class and certified mail dated May 24, 2022. Also according to the Commission's file, and according to records provided to the Commission by the United States' Postal Service, such notice was received at the Claimant's last known address on June 11, 2022.

Given the Claimant's express indication that no hearing was necessary, presumably with respect to the merits of her claim, and her corresponding failure to appear at the hearing held on June 28, 2022, despite obvious receipt of notice of such, I specifically find that the Claimant has failed to prosecute her claim in a timely manner and that dismissal thereof without prejudice is warranted pursuant to Commission Rule 099.13, and hereby grant the Respondents' Motion.

The above-captioned matter is respectfully dismissed without prejudice effective June 28, 2022, and the Respondents are ordered and directed to pay the court reporter's fee within thirty days of billing for such.

IT IS SO ORDERED.

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TERRY DON LUCY  
Administrative Law Judge