BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
WCC NO. H503734

INEZ A. ROBINSON,
EMPLOYEE **CLAIMANT**

CITY OF LITTLE ROCK,
SELF-INSURED EMPLOYER **RESPONDENT**

RISK MANAGEMENT SOLUTIONS,
TPA **RESPONDENT**

OPINION FILED JULY 29, 2026

Hearing conducted on Tuesday, July 14, 2026, before the Arkansas Workers' Compensation Commission (the Commission), Administrative Law Judge (ALJ) Steven Porch, in Little Rock, Pulaski County, Arkansas.

The Claimant was *Pro Se*.

The Respondents were represented by Ms. Melissa Wood, Attorney at Law, Little Rock, Arkansas.

I. BACKGROUND

This matter comes before the Commission on a Motion to Dismiss filed by Respondents on May 12, 2026. A hearing on the motion was conducted on July 14, 2026, in Little Rock, Arkansas. Claimant did attend the hearing.

The Claimant worked for the Respondent/Employer as an administrator. The date for Claimant's alleged injury was on June 3, 2024. This incident was reported to the Respondent/Employer on the same day. The Claimant did not submit any evidence to the Commission. Admitted into evidence was Respondents' Ex. 1, pleadings and correspondence, consisting of 8 pages, Commission Ex. 1, pleadings, return receipts, and correspondence, consisting of 14 pages, *as discussed infra*.

The record reflects that on June 17, 2025, a Form AR-C was filed by Claimant purporting that Claimant injured her TFCC. On June 23, 2025, a Form AR-1 was filed alleging that Claimant was walking down some stairs when she slipped and caught herself with her left arm, thus, injuring her left wrist and hand. On June 24, 2025, a Form AR-2 was filed neither accepting or disputing compensability.

Respondents filed a motion to dismiss on May 12, 2026, for failure to prosecute her claim. The Claimant was sent, on May 13, 2026, notice of the Motion to Dismiss, via certified and regular U.S. Mail, to his last known address. The certified motion notice was not claimed by Claimant, per return receipt. This notice was also sent regular U.S. Mail and did not return to the Commission. The Claimant did not respond to the notice in writing. Thus, in accordance with applicable Arkansas law, the Claimant was sent notice of Respondents' Motion to Dismiss hearing date on June 5, 2026. The Claimant did not claim the certified hearing notice. The hearing notice sent regular First-Class Mail did not return to the Commission. The hearing took place on July 14, 2026. The Claimant attended the hearing and objected to the dismissal and wanted benefits paid.[1]

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

After reviewing the record as a whole and other matters properly before the Commission, I hereby make the following findings of fact and conclusions of law in accordance with Ark. Code Ann. § 11-9-704 (Repl. 2012):

1. The Commission has jurisdiction over this claim.

2. The Claimant and Respondents both had reasonable notice of the July 14, 2026, hearing.

[1] Later, after the hearing, Claimant sent an email dated July 18, 2026, to the Commission and Respondents, stating that she no longer wants to pursue her claim.

3. Respondents have proven by the preponderance of the evidence that Claimant has failed to prosecute her claim under 11 C.A.R. §25-110(d) (formerly AWCC Rule 099.13).

4. The Respondents' Motion to Dismiss should be granted.

III. DISCUSSION

11 C.A.R. §25-110(d) provides:

> Upon meritorious application to the Commission from either party in an action pending before the Commission, requesting that the claim be dismissed for want of prosecution, the Commission may, upon reasonable notice to all parties, enter an order dismissing the claim for want of prosecution.

See generally Johnson v. Triple T Foods, 55 Ark. App. 83, 85, 929 S.W.2d 730 (1996).

Consistent with 11 C.A.R. §25-110(d), the Commission scheduled and conducted a hearing, with reasonable notice, on the Respondents' Motion to Dismiss. Claimant did not claim the certified hearing date notice. The hearing date notice sent regular First-Class mail did not return to the Commission. As stated earlier, the Claimant did appear at the hearing. Thus, I find by the preponderance of the evidence that the Claimant did receive reasonable notice of this motion to dismiss hearing date.

Furthermore, 11 C.A.R. §25-110(d) allows the Commission, upon meritorious application, to dismiss an action pending before it due to a want of prosecution. Therefore, I do find by the preponderance of the evidence that Claimant has failed to prosecute her claim. Despite Claimant's objection to the dismissal at the hearing, Claimant sent an email to the Commission and Respondents, dated July 18, 2026 (copy has been Blue Backed), stating that she no longer wants to continue her case and requesting that it be closed. Based on her statement, it is clear she no longer wants to prosecute her claim. Thus, Respondents' Motion to Dismiss should be granted.

CONCLUSION

Based on the Findings of Fact and Conclusions of Law set forth above, Respondents' Motion to Dismiss is hereby granted.

IT IS SO ORDERED.

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STEVEN PORCH
Administrative Law Judge