

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H008408

BRANDICE SCHELL, Employee	CLAIMANT
FAYETTEVILLE SCHOOL DISTRICT, Employer	RESPONDENT
ARKANSAS SCHOOL BOARDS ASSOCIATION, Carrier	RESPONDENT

OPINION/ORDER FILED DECEMBER 1, 2021

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Springdale, Washington County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by LAURA J. PEARN, Attorney, Fort Smith, Arkansas.

OPINION/ORDER

This case comes on for review following a hearing on respondent's motion to dismiss.

On October 28, 2020, claimant filed Form AR-C requesting compensation benefits. Following claimant's deposition, claimant's attorney filed a motion to withdraw and that motion was granted by Order dated April 30, 2021. Since that time, no further action has been taken to prosecute this claim and as a result, respondent filed a motion to dismiss pursuant to Commission Rule 099.13 on September 28, 2021.

A hearing was scheduled on the respondent's motion for November 10, 2021 and notice of the hearing was sent to claimant by certified mail and delivered on October 4, 2021. Claimant did not appear at the hearing.

After my review of the respondent's motion, the claimant's failure to respond

thereto, and all other matters properly before the Commission, I find that respondent's Motion to Dismiss this claim should be and hereby is granted. This dismissal is pursuant to Commission Rule 099.13 and it is without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE