

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H403472

WENDY SCIEPURA, EMPLOYEE

CLAIMANT

**EMERSON ELECTRIC CO.
EMPLOYER**

RESPONDENT

OLD REPUBLIC INSURANCE CO.

RESPONDENT

OPINION AND ORDER FILED NOVEMBER 26, 2025

A Hearing before Administrative Law Judge James D. Kennedy in Little Rock, Arkansas, was held on November 18, 2025.

Claimant failed to appear.

Respondents were represented by Richard "Dick" N. Dodson of Texarkana, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above styled matter on the 18th day of November 2025, in Little Rock, Arkansas, on Respondent's Motion to Dismiss for failure to prosecute pursuant to Arkansas Code Ann. 11-9-702(a)(4). The claimant was pro se and failed to appear. The Respondents were represented by Richard "Dick" N. Dodson of Texarkana, Arkansas. The Claimant had previously been represented by Jim Burton, who had been allowed to withdraw by an Order from the Full Commission dated February 5, 2025. A Motion to Dismiss was filed on September 15, 2025, which provided that a First Report of Injury was filed on May 29, 2024, and the Respondents filed an Intent to Controvert the Claim on June 27, 2024. The Claimant alleged an injury occurring on May 2, 2024, and requested a hearing. Interrogatories were propounded to the Claimant on August 2, 2024, and on August 8, 2024, the counsel for the Claimant at the time, requested that the matter returned to general files. After the Claimant's attorney was allowed to withdraw,

Interrogatories and Requests for Production of Documents were again sent to the Claimant, and the Claimant's incomplete responses were received on or about March 21, 2025. The Respondent's requested the deposition of the Claimant on April 22, 2025, and the Claimant responded with a letter to the Commission stating, "I request not to have a trial and to end my case."

Arkansas Code Ann. 11-9-702(a)(4) provides for dismissal of a claim if no bona fide request for a hearing has been made within six (6) months of the filing of his claim. No response was filed by the Claimant in regard to the Motion to Dismiss and there have been no steps to prosecute her claims within six months. Additionally, the Claimant has stated that she does not wish to pursue the claim.

After proper notice, a hearing was held on November 18, 2025, and the Claimant failed to appear. The Respondents were represented by Richard "Dick" N. Dodsen, who requested that the matter be dismissed pursuant to Arkansas Code Ann. 11-9-702(a)(4).

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 Arkansas Code Ann. 11-9-702(a)(4).

IT IS SO ORDERED.

JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE