

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H003003**

CHARLES D. SMITH, EMPLOYEE	CLAIMANT
MAX TAYLOR OIL CO., EMPLOYER	RESPONDENT
FEDERATED MUTUAL INSURANCE CO., INSURANCE CARRIER	RESPONDENT

OPINION/ORDER FILED FEBRUARY 25, 2021

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Fort Smith, Sebastian County, Arkansas

Claimant is *pro se*: failed to appear at hearing.

Respondents represented by RICK BEHRING, JR., Attorney, Little Rock, Arkansas.

OPINION/ORDER

On June 11, 2020, claimant filed Form AR-C, alleging a compensable injury on May 11 2020.

Claimant was represented at the time by attorney Whitney James. On June 24th, 2020, Ms. James requested to be allowed to withdraw as claimant's counsel and in an order entered July 2, 2020, the Full Commission granted that motion to withdraw.

On January 12, 2021, Respondent filed a motion to dismiss, alleging that it had been more than six months since claimant filed his Form AR-C with the Commission, but he had not made a request for a hearing in that time. A hearing on respondent's motion to dismiss was scheduled for February 23, 2021. Notice of the scheduled hearing was sent to the claimant by certified mail and was delivered on January 20, 2021. Claimant did not respond to respondent's motion nor did he appear at the hearing on February 23, 2021.

After my review of the respondent's motion, the claimant's failure to appear or respond to the respondent's motion, as well as all other matters properly before the commission, I find that respondent's

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motion to dismiss those claims should be and hereby is granted. This dismissal is pursuant to commission rule 099.13 and is without prejudice.

IT IS SO ORDERED.

JOSEPH C. SELF
ADMINISTRATIVE LAW JUDGE