

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION  
WCC NO. H303830**

<b>HOLLIANDER SCHLIEDER, EMPLOYEE</b>	<b>CLAIMANT</b>
<b>DAT POOCH MOBILE DOG GROOMING, LLC, EMPLOYER</b>	<b>RESPONDENT</b>
<b>TRUMBULL INSURANCE COMPANY, CARRIER</b>	<b>RESPONDENT</b>
<b>THE HARTFORD, THIRD PARTY ADMINISTRATOR</b>	<b>RESPONDENT</b>

**OPINION FILED NOVEMBER 5, 2025**

Hearing conducted on Tuesday, September 30, 2025, before the Arkansas Workers' Compensation Commission (the Commission), Administrative Law Judge (ALJ) Steven Porch, in Little Rock, Pulaski County, Arkansas.

The Claimant is *Pro Se*, of Brighton, Colorado.

The Respondents were represented by Mr. Randy Murphy, Attorney at Law, Little Rock, Arkansas.

**I. BACKGROUND**

This matter comes before the Commission on a Motion to Dismiss filed by Respondents on July 21, 2025. A hearing on the motion was conducted on September 30, 2025, in Little Rock, Arkansas. Claimant, according to Commission file is *Pro Se*, failed to appear at the hearing.

The Claimant worked for the Respondent/Employer as a hospital professional. The date for Claimant's alleged injury was on October 26, 2022. She reported her injury to Respondent/Employer on the same day as the incident. Admitted into evidence was Respondents' Exhibit 1, pleadings, and correspondence, consisting of 4 pages, and Commission Ex. 1, pleadings, and U.S. Mail return receipts, consisting of 5 pages, *as discussed infra*.

The record reflects on June 15, 2023, a Form AR-C was filed purporting that Claimant sustained work-related injury when stepping into a work van with a rotted-out first step. The Claimant's right foot sunk into the rotted-out step injuring her right ankle. On June 22, 2023, a Form AR-1 was filed with the Commission noting that the date of disability was on October 26, 2022. On June 26, 2023, a Form AR-2 was filed accepting compensability, medical-only.

Respondents filed a Motion to Dismiss due to Claimant's failure to prosecute her claim. The Claimant was sent, on July 28, 2025, notice of the Motion to Dismiss, via certified and regular U.S. Mail, to her last known address. The certified motion notice was claimed by Claimant as noted on the August 4, 2025, return receipt. This notice sent regular U.S. Mail did not return to the Commission. The Claimant did not respond to the Motion, in writing, as required. Thus, in accordance with applicable Arkansas law, the Claimant was mailed due and proper legal notice of Respondents' Motion to Dismiss hearing date at her current address of record via the United States Postal Service (USPS), First Class Certified Mail, Return Receipt Requested, and regular First-Class Mail, on August 22, 2025. The certified notice was claimed as noted by the August 29, 2025, return receipt. Likewise, the hearing notice sent regular First-Class was not returned to the Commission. The hearing took place on September 30, 2025. And as mentioned before, the Claimant did not show up to the hearing.

## **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 September 30, 2025, hearing.
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.
5. This claim is hereby dismissed without prejudice.

### **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. The certified hearing notice was claimed by Claimant, per the return postal notice bearing the August 29, 2025, date. Thus, I find by the preponderance of the evidence that reasonable notice was given to the Claimant.

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. The Claimant filed her Form AR-C on June 15, 2023. Since then, she has failed to request a bona fide hearing. Therefore, I do find by the preponderance of the evidence that Claimant has failed 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, and Claimant's claim is dismissed *without prejudice*.

**IT IS SO ORDERED.**

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STEVEN PORCH  
Administrative Law Judge