

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H101268

MARIA THOMAS, Employee	CLAIMANT
SUPERIOR SENIOR CARE, Employer	RESPONDENT
TRAVELERS INSURANCE COMPANY, Carrier	RESPONDENT

OPINION/ORDER FILED FEBRUARY 23, 2022

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 PHILLIP ELMORE, Attorney, Springdale, Arkansas.

OPINION/ORDER

This case comes on for review following a hearing on respondent's Motion to Dismiss.

On February 1, 2021, claimant filed Form AR-C alleging a compensable injury on September 13, 2019. A pre-hearing conference was conducted and a hearing set on claimant's claim for July 28, 2021. Prior to the scheduled hearing claimant withdrew her request for a hearing and asked that the file be returned to general files. On October 15, 2021, an order was entered allowing claimant's attorney to withdraw as counsel. No further action was taken with regard to this claim and on November 30, 2021, respondent filed a Motion to Dismiss for failure to prosecute.

A hearing was scheduled on the respondent's motion for February 16, 2022. Notice of the hearing was sent to claimant at her last known address by certified mail. Claimant did not appear at the hearing and has not responded to the respondent's motion.

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