

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H003722**

JERRY J. TODD, EMPLOYEE

CLAIMANT

TYSON SALES & DISTRIBUTION., SELF-INSURED EMPLOYER

RESPONDENT

OPINION/ORDER FILED **JULY 29, 2021**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Springdale, Washington County, Arkansas.

Claimant is pro se, failed to appear at hearing.

Respondents represented by MATT MAULDIN, Attorney, Little Rock, Arkansas.

OPINION/ORDER

On May 29, 2020, claimant filed Form AR-C, alleging a compensable injury on January 13, 2020. To date, no attorney entered an appearance on claimant's behalf.

On May 6, 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 July 22, 2021. Notice of the scheduled hearing was sent to Claimant by certified mail at the last address in the Commission's file. Claimant received the notice on May 24, 2021. Respondent represented that it sent a copy of the Motion to Dismiss to claimant's last known address by regular mail and did not receive anything back indicating claimant did not receive that mailing. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on July 22, 2021.

I find it has been more than six months since prior to this hearing and that no request for a hearing has been made in this file. After my review of the Respondent's motion, the Claimant's lack of response and failure to attend the hearing for the Respondent's motion, as well as all other matters

H003122-TODD

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 is without prejudice.

IT IS SO ORDERED.

JOSEPH C. SELF
ADMINISTRATIVE LAW JUDGE