

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H207777

EVELYN VILLEDA Employee	CLAIMANT
FREZ-N-STOR, Employer	RESPONDENT
AMTRUST NORTH AMERICA, Carrier	RESPONDENT

OPINION/ORDER FILED DECEMBER 18, 2024

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 WILLIAM C. FRYE, Attorney, No. Little Rock, Arkansas.

OPINION/ORDER

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

Claimant suffered a compensable injury on September 7, 2022. Respondent accepted the injury and paid compensation benefits, including surgery by Dr. Benafield and payment of an impairment rating. Claimant was released to return to work and did return to work for respondent.

An AR-C was filed on claimant's behalf by Attorney Mark Peoples. Subsequent to that filing, in an Order filed October 3, 2024, the Full Commission allowed Attorney Peoples to withdraw as claimant's counsel.

No further action has been taken in this case, and as a result, respondent filed a request for dismissal on October 7, 2024. A hearing was set on the respondent's motion

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for December 11, 2024. Notice of the hearing was sent to claimant by certified mail at her last known address. The certified mail was returned to the Commission as “Insufficient Address.” Claimant did not appear at the hearing and has not responded to the respondent’s motion or taken any action to prosecute her claim.

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.

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GREGORY K. STEWART  
ADMINISTRATIVE LAW JUDGE