

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H006007**

LATASHA D. WAELTZ

CLAIMANT

TYSON POULTRY INC, SELF-INSURED EMPLOYER

RESPONDENT

OPINION/ORDER FILED MAY 20, 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 R. SCOTT ZUERKER, Attorney, Fort Smith, Arkansas.

OPINION/ORDER

On August 25, 2020 claimant filed Form AR-C, alleging a compensable injury on February 4 2019. Claimant was not represented by counsel at the time this AR-C was filed, and no attorney entered an appearance for her.

On March 22, 2021, Respondent filed a motion to dismiss, alleging that it had been more than six months since claimant filed her Form AR-C with the Commission, but she had not made a request for a hearing in that time. A hearing on Respondent's Motion to Dismiss was scheduled for May 13, 2021. Notice of the scheduled hearing was sent to Claimant by certified mail and was delivered on March 30, 2021. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on May 13, 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 properly before the Commission, I find that Respondent's Motion to Dismiss this claim should be

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and hereby is granted. This dismissal is pursuant to Commission Rule 099.13 and is without prejudice.

IT IS SO ORDERED.

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JOSEPH C. SELF  
ADMINISTRATIVE LAW JUDGE