

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H003951

JAMIE WALTERS, Employee	CLAIMANT
COLLIER DRUG STORES, INC., Employer	RESPONDENT
AUTO-OWNERS INSURANCE COMPANY, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED FEBRUARY 2, 2021

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS in Springdale, Washington County, Arkansas.

Claimant is *Pro Se*; not present.

Respondent represented by RANDY P. MURPHY, Attorney at Law, Little Rock, Arkansas.

OPINION/ORDER

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

On February 27, 2020, claimant's previous attorney, Whitney James, filed an AR-C requesting various compensation benefits for the claimant. Ms. James subsequently filed a Motion to Withdraw as claimant's attorney on August 20, 2020 and the Full Commission granted that Motion on September 2, 2020. On November 17, 2020, respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. On November 19, 2020, a Notice of Hearing was mailed to the parties notifying them that a hearing was scheduled for January 19, 2021. The claimant's notice was mailed to her at her last known mailing address by certified and regular mail. The United States Postal Service proof of service log shows that the claimant received her notice on November 21, 2020. On November 23, 2020, the claimant spoke to Johnny Gregory in the Commission's Legal Advisor Division, indicating that she had no objection to the Motion and would waive her right to a hearing.

After my review of respondents' Motion to Dismiss, the claimant's response thereto, and her failure to appear at the scheduled hearing, as well as all other matters properly before the Commission, I find that respondents' Motion to Dismiss this claim should be and hereby is granted pursuant to Commission Rule 099.13. This dismissal is without prejudice.

IT IS SO ORDERED.

HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE