

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H006043

GARY WELCH, Employee	CLAIMANT
GEELS PAINT & WALLCOVERING, INC., Employer	RESPONDENT
BRIDGEFIELD CASUALTY INSURANCE CO., Carrier/TPA	RESPONDENT

OPINION/ORDER FILED AUGUST 4, 2021

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Springdale, Washington County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondent represented by LAURA J. PEARN, Attorney, Fort Smith, Arkansas.

OPINION/ORDER

This case comes on for review following a hearing on respondent's motion to dismiss.

On August 26, 2020, a Form AR-C was filed on behalf of claimant by attorney Whitney James requesting payment of compensation benefits. No hearing was requested following that filing. On May 11, 2021, an Order was entered allowing Ms. James to withdraw as claimant's counsel. Subsequently, on May 28, 2021, respondent filed its Motion to Dismiss.

A hearing on respondent's Motion to Dismiss was scheduled for July 21, 2021, and notice of that hearing was sent to claimant by certified mail. That notice was delivered to claimant on June 15, 2021. 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