

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H500703

CODY WHITTLE, Employee	CLAIMANT
PIPELIFE JET STREAM, Employer	RESPONDENT
TRAVELERS INDEMNITY CO., Carrier	RESPONDENT

OPINION FILED SEPTEMBER 24, 2025

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 JASON M. RYBURN, Attorney at Law, Little Rock, Arkansas.

STATEMENT OF THE CASE

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

On February 25, 2025, Form AR-C was filed by attorney Mark Peoples on claimant's behalf alleging an injury on September 12, 2024, and requesting various compensation benefits. On June 12, 2025, Attorney Peoples' Motion to Withdraw was granted by an Order filed by the Full Commission. Thereafter, on June 20, 2025, respondents filed a motion to dismiss this claim contending that claimant had failed to prosecute his claim.

A hearing was scheduled on respondents' Motion to Dismiss for September 17, 2025. Notice of the hearing was sent to claimant at his last known address by certified

mail and the notice was returned as “Unclaimed”. Claimant did not appear at the hearing.

Pursuant to 11 CAR § 25-110 (d) upon meritorious application to the Commission from a party requesting that the claim be dismissed for want of prosecution, the Commission may, upon reasonable notice to all parties, enter an order dismissing the claim for want of prosecution.

After my review of respondents’ motion, claimant’s failure to appear at the hearing or to respond to respondents’ motion, as well as all other matters presented, I find that claimant has failed to prosecute his claim and therefore find that it should be dismissed pursuant to 11 CAR § 25-110 (d). This dismissal is without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE