

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H003847**

JULIE WILLEY, EMPLOYEE

CLAIMANT

WALMART ASSOCIATES, SELF-INSURED EMPLOYER

RESPONDENT

OPINION/ORDER FILED **SEPTEMBER 23, 2021**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Russellville, Pope County, Arkansas.

Claimant is *pro se* and did not appear.

Respondents are represented by R. SCOTT ZUERKER, Attorney, FORT, Arkansas

OPINION/ORDER

On July 1, 2020, claimant filed Form AR-C, alleging a compensable injury on June 1, 2020. Claimant was represented by Whitney James, who filed a Motion to Withdraw on April 19, 2021. An Order allowing Ms. James to withdraw was entered on April 30, 2021. No other attorney entered an appearance on claimant's behalf.

On July 21, 2021, Respondent filed an Amended Motion to Dismiss, alleging that it had been more than six months since claimant filed his Form AR-C with the Commission, but he had not made a request for a hearing in that time. A hearing on Respondent's Motion to Dismiss was scheduled for September 14, 2021. Notice of the scheduled hearing was sent to Claimant by certified mail at the last address in the Commission's file. The notice was delivered to claimant on July 29, 2021. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on September 14, 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

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

IT IS SO ORDERED.

JOSEPH C. SELF
ADMINISTRATIVE LAW JUDGE