

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**WCC NO. H303309**

**LARRY WILLIAMS, Employee**

**CLAIMANT**

**TROTTER ELECTRIC, Employer**

**RESPONDENT**

**UNITED FIRE GROUP, Carrier/TPA**

**RESPONDENT**

**OPINION FILED DECEMBER 19, 2023**

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS in Fort Smith, Sebastian County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondent represented by MELISSA WOOD, Attorney at Law, Little Rock, Arkansas.

**STATEMENT OF THE CASE**

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

On March 28, 2023, the claimant filed an AR-C requesting various compensation benefits in which he alleged an injury to his lower back on December 30, 2022. The claim was denied in its entirety. There has been no request for a hearing or additional activity by the claimant since the filing of the Form AR-C.

On September 13, 2023, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for December 7, 2023. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on October 25, 2023. That certified mail notice was returned to the Commission by the Post Office with a notation "Return to Sender. Not Deliverable as Addressed. Unable to Forward."

After my review of the respondents' Motion to Dismiss, the claimant's lack of response thereto, and 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.

**ORDER**

Pursuant to the above statement of the case and Commission Rule 099.13, I have no alternative but to dismiss this claim in its entirety, without prejudice, for failure to prosecute.

If respondents have not already done so, they are directed to pay the court reporter, Veronica Lane, her fees and expenses within thirty (30) days of receipt of her invoice.

**IT IS SO ORDERED.**

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**ERIC PAUL WELLS  
ADMINISTRATIVE LAW JUDGE**