

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H200151**

JUSTIN A. BELL, EMPLOYEE

CLAIMANT

SPRADLIN INC., EMPLOYER

RESPONDENT

SUMMIT CONSULTING LLC, INSURANCE CARRIER

RESPONDENT

OPINION/ORDER FILED **NOVEMBER 10, 2022**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Springdale, Washington County, Arkansas.

Claimant is represented by, MICHAEL L. ELLIG, Attorney, Fort Smith.

Respondents are represented by GUY ALTON WADE, Attorney, Little Rock, Arkansas

OPINION/ORDER

On February 9, 2022, claimant filed Form AR-C, alleging a compensable injury on December 27, 2021. Claimant was represented at the time by Michael L. Ellig, who remains his attorney of record.

On August 12, 2022, respondent filed a 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. Claimant's attorney advised by letter dated August 23, 2022 to the Commission he had no objection to the Motion to Dismiss and would not attend the hearing. A hearing on respondent's Motion to Dismiss was scheduled for November 8, 2022. Notice of the scheduled hearing was sent to claimant by certified mail at the last known address in the Commission's file. The notice was returned unclaimed on September 23, 2022. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on November 8, 2022.

I find it has been more than six months since prior to this hearing and that no request for a

Bell-H200151

hearing has been made in this file. After my review of the Respondent's motion, the Claimant's lack 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