

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM NO. H108590**

**KATRINA A. EDWARDS, EMPLOYEE**

**CLAIMANT**

**DERMOTT CITY NURSING HOME, EMPLOYER**

**RESPONDENT**

**MUNICIPAL LEAGUE WORKERS' COMPENSATION  
PROGRAM, CARRIER/TPA**

**RESPONDENT**

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**OPINION FILED 26 OCTOBER 2023**

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**Hearing before Administrative Law Judge Jay O. Howe in McGehee, Desha County, Arkansas, on Wednesday, 26 October 2023.**

***Pro se* claimant, Katrina A. Edwards, failed to appear.**

**Ms. Mary K. Edwards, Attorney-at-Law of North Little Rock, Arkansas, appeared on behalf of respondents.**

**STATEMENT OF THE CASE**

A hearing was held in the above-styled matter on 26 October 2023, in McGehee, Arkansas, on Respondents' Motion to Dismiss this matter. This claim involves an alleged workplace injury occurring on 26 August 2021.

A Form AR-C was filed with the Commission on 20 October 2021. On 5 August 2022, the respondents moved for a dismissal without prejudice for the claimant's failure to prosecute this claim. The claimant opposed that Motion by way of an email sent to the Clerk of the Commission on 31 August 2022. In a letter dated 2 September 2022, the Commission stated that the Motion would be held in abeyance and issued Prehearing Questionnaires.

A brief prehearing telephone conference was noted in an email to the parties dated 8 November 2022. That email recapitulated the claimant's expressed intention to hire an attorney and set a follow-up conference on 13 December 2022. A subsequent email, dated 13

December 2022, notes that the claimant failed to participate in the call. The respondents then renewed their Motion to Dismiss on 11 August 2023.

The respondents appeared today to present their Motion to Dismiss, arguing that the claimant failed to prosecute her claim. The claimant did not appear to argue against dismissal. Based on the record, available evidence, and argument of counsel, I find that the Motion to Dismiss should be granted and that the matter should be dismissed without prejudice.

**ORDER**

Pursuant to the above, I find that the Motion to Dismiss should be granted and that this matter should be dismissed without prejudice at this time.

SO ORDERED.

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JAYO. HOWE  
ADMINISTRATIVE LAW JUDGE