

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H302982**

LAURA A. GAYLIN, EMPLOYEE	CLAIMANT
KNIGHT TRANSPORTATION INC., EMPLOYER	RESPONDENT
SEDWICK CLAIMS MANAGEMENT SERVICES INC./INSURANCE CARRIER	RESPONDENT

OPINION/ORDER FILED **OCTOBER 26, 2023**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Fort Smith, Sebastian County, Arkansas.

Claimant is represented by JARID M. KINDER, Attorney, Fayetteville, Arkansas; although not appearing at the hearing.

Respondents are represented by R. SCOTT ZUERKER, Attorney, Fort Smith, Arkansas

OPINION/ORDER

On May 8, 2023, claimant filed Form AR-C, alleging a compensable injury on April 26, 2023. Claimant was represented at the time by Jarid M. Kinder, who remains her attorney of record.

On June 27, 2023, respondent filed a Motion to Dismiss, alleging that it had been more than six months since claimant filed her Form AR-C with the Commission, but she had not made a request for a hearing in that time. Claimant's attorney advised 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 October 3, 2023. 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 delivered to claimant on August 17, 2023. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on October 3, 2023.

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