

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H305915

CHRISTA OBRECHT, Employee

CLAIMANT

CADDO HILLS SCHOOL DISTRICT, Employer

RESPONDENT

AR SCHOOL BOARDS ASSOC., Carrier/TPA

RESPONDENT

OPINION FILED JULY 2, 2024

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS in Russellville, Pope 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 September 22, 2023, the claimant requested a hearing for various compensation benefits in which she alleged an injury to her right knee on or about September 5, 2023. The claim was denied in its entirety. A request to complete a pre-hearing questionnaire was mailed to the claimant on November 6, 2023, and again on December 13, 2023, both went unanswered.

On March 26, 2024, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for June 20, 2024. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on May 13, 2024. United States Postal Department records indicate that claimant received and signed for the notice

on May 22, 2024. Despite having received notice of the scheduled hearing, the claimant failed to appear at the hearing and has failed to respond to the motion in any form or manner.

After a review of the record as a whole, to include all matters properly before the Commission, and having had an opportunity to hear the statements of Respondent No. 1's attorney, I find that this matter should be dismissed without prejudice for failure to prosecute pursuant to Commission Rule 099.13.

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.

ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE