

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H300491

BROOKE PARRISH, Employee	CLAIMANT
TYSON FOODS, INC., Employer	RESPONDENT
TYNET CORPORATION, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED MARCH 20, 2024

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Springdale, Washington County, Arkansas.

Claimant represented by EVELYN E. BROOKS, Attorney, Fayetteville, Arkansas; although not appearing at hearing.

Respondents represented by J. MATTHEW MAULDIN, Attorney, Little Rock, Arkansas.

OPINION/ORDER

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

On January 24, 2023, claimant filed Form AR-C and a change of physician request. On March 16, 2023, the Commission granted claimant's change of physician request to Dr. Blankenship and set up an appointment for claimant to be evaluated by Dr. Blankenship on April 10, 2023. Claimant did not attend that appointment.

On January 19, 2024, respondent filed a Motion to Dismiss. A hearing was scheduled on the respondent's motion for March 13, 2024. Notice of the hearing was sent to claimant at her last known address. On February 5, 2024, Attorney Brooks indicated by e-mail that she had been unable to reach her client despite trying several

methods and that since claimant would not respond she was assuming that claimant no longer wished to pursue her claim. As a result, Ms. Brooks indicated that she would not object to a dismissal.

After my review of the respondent's motion, Ms. Brooks' response thereto, and the claimant's failure to respond to the respondent's motion or to her attorney, 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 it is without prejudice.

IT IS SO ORDERED.

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GREGORY K. STEWART  
ADMINISTRATIVE LAW JUDGE