

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H206227**

BRIAN RANKIN, EMPLOYEE

CLAIMANT

BENTON COUNTY ROAD DEPARTMENT, EMPLOYER

RESPONDENT

AAC RISK MANAGEMENT SERVICES/INSURANCE CARRIER

RESPONDENT

OPINION/ORDER FILED **FEBRUARY 1, 2024**

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

Claimant is not represented and did not appear at the hearing.

Respondents are represented by ZACHARY RYBURN, Attorney, Little Rock, Arkansas

OPINION/ORDER

On August 30, 2022, claimant filed Form AR-C, alleging a compensable injury on April 19, 2022. Claimant was represented at the time by Jarid Kinder, who filed a Motion to Withdraw on October 25, 2023 and was allowed to withdraw on November 14, 2023. No other attorney entered an appearance on claimant's behalf.

On November 17, 2023, 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. A hearing on respondent's Motion to Dismiss was scheduled for January 18, 2024. 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 December 15, 2023. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on January 18, 2024.

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

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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