

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H109481**

KEVIN RUIZ, EMPLOYEE

CLAIMANT

WALMART ASSOCIATES INC., SELF-INSURED EMPLOYER

RESPONDENT

OPINION/ORDER FILED **JULY 21, 2022**

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

Claimant is *pro se*.

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

OPINION/ORDER

On December 2, 2021, claimant filed Form AR-C, alleging a compensable injury on August 14, 2021. Claimant was represented at the time by Mr. Jarid M. Kinder who filed a Motion to Withdraw on March 29, 2022 and was allowed to withdraw on April 8, 2022. No other attorney entered an appearance on claimant's behalf. Claimant is still *pro se*.

On June 3, 2022, 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 July 19, 2022. 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 unclaimed on June 24, 2022. Claimant did not respond to respondent's motion and did not appear in person at the hearing on July 19, 2022.

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 of response and failure to attend the hearing for the Respondent's motion, as well as all other matters

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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