

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**WCC NO. H106201**

**DAVID WALKER, Employee**

**CLAIMANT**

**BILL'S ELECTRIC, INC., Employer**

**RESPONDENT**

**MIDWEST BUILDERS CASUALTY MUTUAL CO., Carrier**

**RESPONDENT**

**OPINION/ORDER FILED MARCH 15, 2022**

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS, in Springdale, Washington County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by CHRISTOPHER S. MOBERG, Attorney at Law, Springfield, Missouri.

**OPINION/ORDER**

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

On August 3, 2021, claimant filed a Form AR-C requesting compensation benefits resulting from an alleged July 7, 2021 injury. Since the filing of the AR-C, no further action has been taken by claimant to pursue his claim. On January 13, 2022, respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing on the respondents' motion was scheduled for March 8, 2022. Notice of the hearing was mailed to the claimant by certified mail on January 24, 2022. United States Postal Department records indicate that claimant received and signed for the notice on January 27, 2022. 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 my review of respondents' Motion to Dismiss, the claimant's lack of response thereto, as well as his failure to appear at the hearing on respondents' motion, and all other matters properly before the Commission, I find that respondents' Motion to Dismiss this claim should be and hereby is granted pursuant to Commission Rule 099.13. This dismissal is without prejudice.

**IT IS SO ORDERED.**

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**HONORABLE ERIC PAUL WELLS  
ADMINISTRATIVE LAW JUDGE**