

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H407233

ADRIAN L. ADAMS, EMPLOYEE

CLAIMANT

CAL ARK INTERNATIONAL, INC. EMPLOYER

RESPONDENT

**SAFETY FIRST INS. CO./
CCMSI**

RESPONDENT

OPINION AND ORDER DATED MAY 13, 2025

The Hearing before Administrative Law Judge James D. Kennedy in Little Rock, Arkansas, was held on May 6, 2025.

Claimant was pro-se and failed to appear.

Respondents were represented by Guy Alton Wade, of Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above styled matter on the 6th day of May, 2025, in Little Rock Arkansas, on Respondent's Motion to Dismiss for failure to prosecute pursuant to Ark. Code Ann. 11-702 and Rule 099.13 of the Arkansas Workers' Compensation Act. The claimant was pro se and failed to appear on his own behalf. The respondents were represented by Guy Alton Wade, of Little Rock Arkansas, who introduced thirteen (13) pages of documents, which were admitted into the evidentiary record.

The documents included a First Report of Injury which provided the claimant's vehicle was hit by another vehicle and that he injured his upper extremities - shoulders. A Form 2, dated November 7, 2024, provided that the claim was denied as it does not meet the criteria for a compensable claim. A letter dated December 23, 2024, provided discovery was propounded to the Claimant. The Claimant had previously been

represented by Mark Allen Peoples, who was allowed to withdraw by an Order of the Full Commission, dated February 5, 2025. The Respondents filed a Motion to Dismiss by letter dated February 12, 2025, and requested that the matter be dismissed for lack of prosecution, stating that discovery remained outstanding.

No response was filed by the Claimant so an appropriate notice of a Motion to Dismiss hearing was provided to the Claimant setting the hearing for May 6, 2025, at 10:00 a.m., in Little Rock, Arkansas.

A hearing was held on May 6, 2025, and the claimant failed to appear. The Respondents were represented by Guy Alton Wade, who requested that the matter be dismissed pursuant to Rule 099.13 of the Arkansas Workers' Compensation Commission and Ark. Code Ann. 11-9-702.

ORDER

Pursuant to the above statement of the case, as well as the documents entered into the evidentiary record and statements by the attorney for the Respondents, there is no alternative but to grant the Motion to Dismiss without prejudice pursuant to Rule 099.13 of the Arkansas Workers' Compensation Commission and Ark. Code Ann. 11-9-702.

IT IS SO ORDERED.

JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE