

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION
CLAIM NO. H401191**

**LAUREN A. BEAM,
EMPLOYEE**

CLAIMANT

**LITTLE ROCK SCHOOL DISTRICT,
EMPLOYER**

RESPONDENT

**ARKANSAS SCHOOL BDS. ASS'N
WORKERS' COMPENSATION TRUST/
ARK. SCHOOL BDS. ASS'N
CARRIER/TPA**

RESPONDENT

**OPINION FILED MAY 1, 2025, GRANTING RESPONDENTS' MOTION TO DISMISS
WITHOUT PREJUDICE**

Hearing conducted on Wednesday, April 30, 2025, before the Arkansas Workers' Compensation Commission (the Commission), Administrative Law Judge (ALJ) Mike Pickens, in Little Rock, Pulaski County, Arkansas.

The claimant, Ms. Lauren A. Beam, pro se, of Little Rock, Pulaski County, Arkansas, did not appear at the hearing.

The respondents were represented by the Honorable Melissa Wood, Worley, Wood & Parrish, Little Rock, Pulaski County, Arkansas.

STATEMENT OF THE CASE

A hearing was conducted on Wednesday, April 30, 2025, to determine whether this claim should be dismissed without prejudice pursuant to **Ark. Code Ann.** § 11-9-702(a)(4) (2025 Lexis Replacement) and Commission Rule 099.13 (2025 Lexis Replacement).

The claimant never retained an attorney to represent her in this claim, but she had requested, and the Commission granted, her one (1)-time-only change of physician (COP) request by order filed February 26, 2024. Thereafter, when the claimant had taken no further action to pursue her

claim, on March 3, 2025, the respondents filed with the Commission a motion to dismiss for lack of prosecution (MTD). (Respondents' Exhibit 1 at 10-11).

Pursuant to the applicable law the Commission provided the claimant due and legal notice of both the respondents' MTD as well as notice of the subject hearing. (Commission Exhibit 1). The claimant wrote the ALJ a letter dated March 19, 2025, which the Commission received and marked as filed on March 31, 2025. (Comms'n Ex. 2). In this letter the claimant wrote: "I do not anticipate any further issues or medical bills related to this claim. Additionally, I do not wish for this matter to proceed to a hearing, nor do I wish to be required to attend a hearing." (Comms'n Ex. 2; RX1 at 13).

The record herein consists of the hearing transcript and any and all exhibits contained therein and attached thereto.

DISCUSSION

Consistent with **Ark. Code Ann.** § 11-9-702(a)(4) (2024 Lexis Replacement), as well as our court of appeals' ruling in *Dillard vs. Benton County Sheriff's Office*, 87 Ark. App. 379, 192 S.W.3d 287 (Ark. App. 2004), the Commission scheduled and conducted a hearing on the claimant's voluntary MTD. Rather than recite a detailed analysis of the record, suffice it to say the preponderance of the evidence introduced at the hearing and contained in the record conclusively reveals the claimant has specifically advised the Commission in writing there exist no issues in her claim subject to litigation and/or determination; and that she does not want to proceed to a hearing on any issues in her claim, nor does she want to be required to attend a hearing. (Comms'n Ex. 2).

Therefore, after a thorough consideration of the issues at bar, the applicable law as applied to the facts of this claim, and other relevant matters of record including the representations of credible counsel, I hereby make the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Commission has jurisdiction of this claim.
2. After having received due and legal notice of the respondents' MTD filed with the Commission on March 3, 2025, as well as notice of the subject hearing date, time, and place, the claimant advised the Commission by letter dated March 19, 2025, which was received and filed with the Commission on March 31, 2025, that no issues remained in her claim; and that she did "not wish for this matter to proceed to a hearing, nor do I wish to be required to attend a hearing." (Comms'n Ex. 2).
3. Therefore, the un rebutted preponderance of the evidence compels the decision the respondents' MTD filed March 3, 2025, should be and hereby is GRANTED; and this claim hereby is dismissed without prejudice to its refiling pursuant to the deadlines prescribed by **Ark. Code Ann.** Section 11-9-702(a) and (b), and Commission Rule 099.13.

If they have not already done so, the respondents hereby are ordered to pay the court reporter's invoice within twenty (20) days of their receipt thereof.

IT IS SO ORDERED.

Mike Pickens
Administrative Law Judge

MP/mp

