

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H305079**

WILLIAM E. BEAN, EMPLOYEE

CLAIMANT

BESHEARS CONSTRUCTION INC., EMPLOYER

RESPONDENT

C N A INSURANCE COMPANUY/INSURANCE CARRIER

RESPONDENT

OPINION/ORDER FILED **MAY 29, 2025**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Fort Smith, Sebastian County, Arkansas.

Claimant is *pro se* and did not appear at the hearing.

Respondents are represented by BENJAMIN D. DAVIS, Attorney, Little Rock Arkansas

OPINION/ORDER

On August 9, 2023, claimant filed Form AR-C, alleging a compensable injury on July 27, 2023. Claimant was represented at the time by Jarid M. Kinder, who filed a Motion to Withdraw on January 22, 2024, and was allowed to withdraw on February 22, 2024.

On March 20, 2025, 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 respondents' Motion to Dismiss was scheduled for May 19, 2025. Notice of the scheduled hearing was sent to the claimant by certified mail at the last known address in the Commission's file. The notice was returned unclaimed on May 5, 2025. Claimant did not respond to respondents' motion and did not appear in person at the hearing on May 19, 2025.

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