

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H406976

SAMANTHA FIGUEROA, Employee

CLAIMANT

CLEAN COOKIN, LLC, Employer

RESPONDENT

MARKEL SERVICE, INC., Carrier

RESPONDENT

OPINION FILED DECEMBER 17, 2025

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 RANDY P. MURPHY, Attorney at Law, Little Rock, Arkansas.

STATEMENT OF THE CASE

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

On October 24, 2024, the claimant's previous attorney, Jarid Kinder, filed an AR-C requesting various compensation benefits, alleging injuries to her foot, ankle, and body as a whole. On February 21, 2025, Mr. Kinder filed a Motion to Withdraw and on March 14, 2025, the Full Commission entered an Order allowing him to withdraw as claimant's counsel. No further action was taken on this claim.

On August 18, 2025, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for November 18, 2025. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on October 2, 2025. United States Postal Department records indicate that claimant received and signed for the notice on October 16, 2025. 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.

Pursuant to 11 CAR §25-110(d) (previously codified as Commission Rule 099.13), the Commission may enter an order dismissing a claim for want of prosecution. After a review of the respondents' Motion to Dismiss, the claimant's lack of desire to pursue her claim, and her failure to appear at the scheduled hearing, as well as all other matters properly before the Commission, I find that claimant has failed to prosecute this claim. Therefore, this claim is dismissed without prejudice.

IT IS SO ORDERED.

HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE