

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H302358**

TOMMY D. FLAHERTY, EMPLOYEE	CLAIMANT
E T W ENTERPRISES INC., EMPLOYER	RESPONDENT
AMERISAFE RISK SERVICES INC./INSURANCE CARRIER	RESPONDENT

OPINION/ORDER FILED **JULY 25, 204**

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

Claimant is not represented and did not appear at the hearing.

Respondents are represented by ZACHARY F. RYBURN, Attorney, Little Rock, Arkansas

OPINION/ORDER

On April 11, 2023, claimant filed Form AR-C, alleging a compensable injury on March 29, 2023. Claimant was represented at the time by Matthew J. Ketcham, who filed a Motion to Withdraw on March 11, 2024 and was allowed to withdraw on March 28, 2024. No other attorney entered an appearance on claimant's behalf.

On March 11, 2024, 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 respondent's Motion to Dismiss was scheduled for July 23, 2024. Notice of the scheduled hearing was sent to claimant by certified mail at the last known address in the Commission's file. The notice was returned unclaimed on June 28, 2024. Claimant did not respond to Respondent's motion and did not appear in person at the hearing on July 23, 2024.

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

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of response and failure to attend the hearing for the respondent's motion, as well as all other matters 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