

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H206805

JASON FRANK, Employee	CLAIMANT
WALDINGER CORPORATION, Employer	RESPONDENT
EMPLOYERS MUTUAL CASUALTY CO.	RESPONDENT

OPINION/ORDER FILED AUGUST 14, 2024

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Springdale, Washington County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by DAVID C. JONES, Attorney, Little Rock, Arkansas.

OPINION/ORDER

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

This claim involves an injury to claimant's right leg on September 2, 2022. Respondent accepted this injury as compensable and paid compensation benefits. On October 18, 2022, Attorney York on behalf of claimant filed Form AR-C requesting additional compensation benefits. An Agreed Order was filed on June 21, 2023, primarily addressing claimant's entitlement to temporary partial disability and/or temporary total disability benefits from September 2, 2022 through December 31, 2022.

Thereafter, on January 29, 2024, Attorney York filed a Motion to Withdraw as Counsel. This motion was granted by the Full Commission in an Order filed March 5, 2024. No further action was taken and respondent filed its Motion to Dismiss on May 15,

2024.

A hearing on respondent's motion to Dismiss was scheduled for July 31, 2024. Notice of the hearing was sent to claimant by certified mail and was delivered on June 13, 2024. Claimant did not appear at the hearing and has not responded to the respondent's Motion to Dismiss.

After my review of the respondent's motion, the claimant's failure to appear at the hearing or respond to the respondent's motion, I find that respondent's Motion to Dismiss should be and hereby is granted. This dismissal is pursuant to Commission Rule 099.13 and it is without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE