

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H400906

RACHEL GRIMES, Employee

CLAIMANT

STARBUCKS CORP., Employer

RESPONDENT

SEDGWICK CLAIMS MANAGEMENT, Carrier

RESPONDENT

OPINION FILED APRIL 29, 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 July 23, 2024, the claimant filed an AR-C requesting various compensation benefits in which she alleges injuries to her left shoulder, right shoulder, and right knee on or about January 27, 2024. There has been no request for a hearing and no further action was taken in this claim.

On February 10, 2025, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for April 15, 2025. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on March 7, 2025. United States Postal Department records indicate that claimant received and signed for the notice on March 10, 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.

After a review of the respondents' Motion to Dismiss, the claimant's lack of desire to pursue his claim, and her failure to appear at the scheduled hearing, as well as all other matters properly before the Commission, I find that respondents' Motion to Dismiss this claim should be and hereby is granted pursuant to Commission Rule 099.13. This dismissal is without prejudice.

ORDER

Pursuant to the above statement of the case and Commission Rule 099.13, I have no alternative but to dismiss this claim in its entirety, without prejudice, for failure to prosecute.

If they have not already done so, the respondents are directed to pay the court reporter, Veronica Lane, fees and expenses within thirty (30) days of receipt of the invoice.

IT IS SO ORDERED.

**HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE**