

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H406235

LESLIE LOUCKS, Employee

CLAIMANT

BASS PRO GROUP, Employer

RESPONDENT

CORVEL ENTERPRISE COMP., INC., Carrier

RESPONDENT

OPINION/ORDER FILED JUNE 10, 2025

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS, in Springdale, Washington County, Arkansas.

Claimant represented by FREDERICK S. SPENCER, Attorney, Mountain Home, Arkansas; although not present at hearing.

Respondent 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.

On September 21, 2024, Frederic Spencer, claimant's attorney, filed a Form AR-C requesting various compensation benefits in which she alleged injuries to her back, hands, and feet; however, no hearing was requested. No further action was taken in this claim.

On April 15, 2025, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for May 13, 2025. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on April 17, 2025. United States Postal Department records indicate that claimant received and signed for the notice on April 21, 2025. Despite having received notice of the scheduled hearing, the claimant failed to appear at the hearing.

Mr. Spencer indicated by email of a letter dated April 17, 2025, that he would waive his appearance at the hearing and further indicated that he had no objection to the Motion to Dismiss “WITHOUT prejudice.”

After my review of respondent’s Motion to Dismiss, Mr. Spencer’s response thereto that he had no objection to the motion to dismiss without prejudice, and the claimant’s failure to appear at the scheduled hearing, 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 pursuant to A.C.A. §11-9-702(a)(4). This dismissal is without prejudice.

IT IS SO ORDERED.

**HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE**