

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H208599

LEONARD MAYFIELD, Employee	CLAIMANT
ABB MOTORS & MECHANICAL, INC., Employer	RESPONDENT
GALLAGHER BASSETT SERVICES, INC., Carrier	RESPONDENT

OPINION FILED JUNE 2, 2025

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Fort Smith, Sebastian County, Arkansas.

Claimant represented by JARID M. KINDER, Attorney at Law, Fayetteville, Arkansas; although not present at hearing.

Respondents represented by R. SCOTT ZUERKER, Attorney at Law, Fort Smith, Arkansas.

STATEMENT OF THE CASE

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

On February 8, 2023, Attorney Kinder filed Form AR-C requesting compensation benefits for an injury occurring on February 16, 2022. A Change of Physician Order was entered on October 16, 2023; however, there was no activity after that date. As a result, on April 8, 2025, respondents filed a Motion to Dismiss. A hearing was scheduled on the Motion to Dismiss for May 19, 2025. Notice of the hearing was sent to claimant by certified mail and was delivered April 18, 2025. By email dated April 15, 2025, Attorney Kinder indicated that claimant had no objection to the Motion to Dismiss and waived his right to appear at the hearing.

After my review of the respondents' motion, the claimant's response thereto, and all other matters properly before the Commission, I find that respondents motion to dismiss this claim should and hereby is granted. This dismissal is without prejudice and pursuant to Commission Rule 099.13.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE