

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H407642

COLLEEN MCVEIGH, Employee

CLAIMANT

HILLCREST HOME, Employer

RESPONDENT

CCMSI, Carrier

RESPONDENT

OPINION FILED SEPTEMBER 30, 2025

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS in Harrison, Boone County, Arkansas.

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by MELISSA WOOD, 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 November 21, 2024, the claimant filed an AR-C requesting various compensation benefits in which she alleges injuries to her right shoulder on or about October 14, 2024. There has been no request for a hearing and no further action was taken in this claim.

On May 7, 2025, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for August 28, 2025. Notice of that hearing was sent to the claimant by certified mail, return receipt requested on June 18, 2025. United States Postal Department records indicate that claimant received and signed for the notice on June 23, 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.

Pursuant to 11 CAR §25-110(d) (previously codified as Commission Rule 099.13), the Commission may enter an order dismissing a claim for want of prosecution After a review of the respondents' Motion to Dismiss, the claimant's lack of desire to pursue her claim, and her failure to appear at the scheduled hearing, as well as all other matters properly before the Commission, I find that claimant has failed to prosecute this claim. Therefore, this claim is dismissed without prejudice.

IT IS SO ORDERED.

**HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE**