

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H301670

PATRICIA PEARSON, EMPLOYEE

CLAIMANT

GOODWILL INDUSTRIES OF ARK. INC.,

RESPONDENT

**ATA WORKERS' COMP SI TRUST/
RISK MANAGEMENT RESOURCES**

RESPONDENT

OPINION AND ORDER FILED May 6, 2025

The Hearing before Administrative Law Judge James D. Kennedy in Little Rock, Arkansas, was held on April 29, 2025.

Claimant was pro-se and failed to appear.

Respondents were represented by Melissa Wood, of Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above styled matter on the 29th day of April 2025, in Little Rock, Arkansas, on Respondent's Motion to Dismiss for failure to prosecute pursuant to Ark. Code Ann. 11-702 and Rule 099.13 of the Arkansas Workers' Compensation Act. The claimant was pro se and failed to appear on her own behalf. The respondents were represented by Melissa Wood of Little Rock, Arkansas, who introduced 10 pages of documents that were admitted into the evidentiary record.

The documents included a First Report of Injury, which provided that the claimant injured herself by moving boxes while driving a forklift and making a turn. An AR-N Form provided that the accident occurred on February 14, 2023, when claimant was driving a fork-lift and clipped a pole. Some initial medical benefits were paid. The claimant filed an AR- C Form on or about March 13, 2023, which provided that the claimant had suffered a neck injury to an already existing C-spine injury. The AR-2 Form provided that the

claimed accident occurred on February 14, 2023, and that the claim was denied due to no acute objective findings. A Motion to Dismiss was mailed on or about March 3, 2025, asking that the claim be dismissed pursuant to Ark. Code Ann 11-9-702 and Rule 099.13 of the Arkansas Workers' Compensation Commission.

No response was filed by the Claimant so an appropriate notice of a Motion to Dismiss hearing was provided to the Claimant setting the hearing for April 29, 2025, at 11:30 a.m., in Little Rock Arkansas.

A hearing was held on April 29, 2025, and the claimant failed to appear. The Respondents were represented by Melissa Wood, who requested that the matter be dismissed pursuant to Rule 099.13 of the Arkansas Workers' Compensation Commission and Ark. Code Ann. 11-9-702.

ORDER

Pursuant to the above statement of the case, as well as the documents entered into the evidentiary record and statements by the Attorney for the Respondents, there is no alternative but to grant the Motion to Dismiss without prejudice pursuant to Rule 099.13 of the Arkansas Workers' Compensation Commission and Ark. Code Ann. 11-9-702.

IT IS SO ORDERED.

JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE