

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H402807

LAWRENCE RAGAN, EMPLOYEE

CLAIMANT

**MOUNTAIN VIEW SCHOOL DISTRICT'
EMPLOYER**

RESPONDENT

ARKANSAS SCHOOL BOARDS ASSOC.

RESPONDENT

OPINION AND ORDER FILED APRIL 17, 2025

The Hearing before Administrative Law Judge James D. Kennedy in Clinton, Arkansas, was held on April 3, 2025.

Claimant was pro-se and failed to appear.

Respondents were represented by Jarrod Parrish, of Little Rock, Arkansas.

STATEMENT OF THE CASE

A hearing was held in the above styled matter on the 3rd day of April 2025, in Clinton, Arkansas, on Respondent's Motion to Dismiss for failure to prosecute pursuant to Arkansas Code Ann. 11-702 and Rule 099.13 of the Arkansas Workers' Compensation Act. The claimant was pro se and failed to appear on his own behalf. The respondents were represented by Jarrod Parrish of Little Rock, Arkansas.

A First Report of Injury was filed on April 19, 2024, which described the claimed injury as an ankle fracture that occurred while the claimant was walking on a slope between a parking lot and a bus, and which occurred when he slipped and fell. An AR-2 was filed on April 30, 2024, which provided that the claim was denied due to not arising out of or within the course and scope of the claimant's employment. On May 10, 2024, the claimant contacted the Commission by letter, requesting a review of his claim denial. The claimant responded to the prehearing questionnaire and a prehearing telephone

conference was held on October 7, 2024, and a Prehearing Order was filed on October 8, 2024, setting the matter for a hearing on January 23, 2025, in Clinton Arkansas.

On December 29, 2024, the Claimant notified the Commission by email that he was cancelling his request “for appeal in regard to the above-referenced claim” and the hearing was cancelled. On or about February 24, 2025, the Respondents notified the Commission by letter that they were requesting that the claim be dismissed due to no Form AR-C being filed by the Claimant and for the Commission to take “whatever action is necessary” for the dismissal of the claim. No response was filed by the Claimant so appropriate notice of a Motion to Dismiss hearing was provided to the Claimant setting the hearing for April 3, 2025, at 10:00 a.m., in Clinton Arkansas. Later on March 7, 2025, the Claimant notified the Commission in regard to the Motion to Dismiss, “I do not wish to pursue this claim with the Workers’ Compensation Commission and would appreciate it if you could take whatever steps necessary to dismiss the workers comp claim against Mountain View School District.”

A hearing was held on April 3, 2025, and the claimant failed to appear. The Respondents were represented by Jarrod Parrish, who requested that the matter be dismissed pursuant to Rule 099.13 of the Arkansas Workers’ Compensation Commission and A.C.A. 11-9-702.

ORDER

Pursuant to the above statement of the case, documents entered into the 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 A.C.A. 11-9-702.

IT IS SO ORDERED.

JAMES D. KENNEDY
ADMINISTRATIVE LAW JUDGE