

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. H304498

FRANCIS RALSTON, Employee	CLAIMANT
TWIN RIVERS FOODS, INC., Employer	RESPONDENT
BRIDGEFIELD CASUALTY/SUMMIT, Carrier/TPA	RESPONDENT

OPINION/ORDER FILED MAY 15, 2024

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

Claimant not represented by counsel and not appearing at hearing.

Respondents represented by GUY ALTON WADE, Attorney, Little Rock, Arkansas.

OPINION/ORDER

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

Respondent accepted a compensable injury to claimant's head on March 30, 2023. Attorney Eddie Walker, on behalf of claimant, filed Form AR-C in August 2023 alleging that in addition to the injury to his head, claimant had also suffered a compensable injury to his neck and shoulder. Respondent attempted to obtain discovery of the claimant which included claimant's deposition. Claimant did not appear at the deposition and Attorney Walker subsequently filed a Motion to Withdraw as Counsel. This motion was granted by Order filed March 6, 2024.

Respondent filed a motion to dismiss this claim and a hearing was scheduled on the respondent's motion for May 6, 2024. Notice of the hearing was sent to claimant by

certified mail at his last known address. This notice was returned by the Post Office as “unclaimed.” Claimant did not appear at the hearing and has not responded to the respondent’s motion.

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

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE