

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H401756**

EDGARDO SALAMANCA, EMPLOYEE	CLAIMANT
P 3 ELITE LOGISTICS LLC, EMPLOYER	RESPONDENT
SUMMIT CONSULTING LLC/INSURANCE CARRIER	RESPONDENT

OPINION/ORDER FILED **SEPTEMBER 12, 2024**

Hearing before ADMINISTRATIVE LAW JUDGE JOSEPH C. SELF, in Springdale, Washington County, Arkansas.

Claimant is not represented and did not appear at the hearing.

Respondents are represented by ZACHARY F. RYBURN, Attorney, Little Rock, Arkansas

OPINION/ORDER

On March 11, 2024, claimant filed Form AR-C, alleging a compensable injury on December 19, 2024. Claimant was represented at the time by Gary Davis, who filed a Motion to Withdraw on May 29, 2024 and was allowed to withdraw on June 20, 2024. No other attorney entered an appearance on claimant's behalf.

On June 21, 2024, respondent filed a Motion to Dismiss, alleging that it had been more than six months since claimant filed his Form AR-C with the Commission, but he had not made a request for a hearing in that time. A hearing on respondent's Motion to Dismiss was scheduled for September 5, 2024. Notice of the scheduled hearing was sent to claimant by certified mail at the last known address in the Commission's file. The notice was returned "no mail receptacle unable to forward" on August 26, 2024. Claimant did not respond to respondent's motion and did not appear in person at the hearing on September 5, 2024.

I find it has been more than six months since prior to this hearing and that no request for a

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hearing has been made in this file. After my review of the respondent's motion, the Claimant's lack of response and failure to attend the hearing for the respondent's motion, as well as 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 is without prejudice.

IT IS SO ORDERED.

JOSEPH C. SELF
ADMINISTRATIVE LAW JUDGE