

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. **H302383**

MADELYN C. SPENCE, EMPLOYEE	CLAIMANT
PERIMETER BEHAVIORAL HEALTH, EMPLOYER	RESPONDENT
UNITED WISCONSIN INSURANCE COMPANY/INSURANCE CARRIER	RESPONDENT

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

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

Claimant is represented by JASON L. WATSON, Attorney, Fayetteville, Arkansas.

Respondents are represented by JAMES A. ARNOLD II, Attorney, Fort Smith, Arkansas

OPINION/ORDER

On April 12, 2023, claimant filed Form AR-C, alleging a compensable injury on December 5, 2022. Claimant was represented at the time by Jason L. Watson, who remains her attorney of record.

On June 11, 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 she had not made a request for a hearing in that time. Claimant's attorney advised the Commission he cannot agree with the dismissal but would not attend the hearing. A hearing on respondent's Motion to Dismiss was scheduled for August 29, 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 unclaimed on August 2, 2024. Claimant did not respond to respondent's motion and did not appear in person at the hearing on August 29, 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.**

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JOSEPH C. SELF  
ADMINISTRATIVE LAW JUDGE