

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. H206803

KRISTOPHER WORRALL, Employee

CLAIMANT

POWELL FEED & MILLING CO., INC., Employer

RESPONDENT

MIDWEST INSURANCE COMPANY, Carrier

RESPONDENT

OPINION/ORDER FILED JUNE 17, 2025

Hearing before ADMINISTRATIVE LAW JUDGE ERIC PAUL WELLS, in Springdale, Washington County, Arkansas.

Claimant represented by JASON M. HATFIELD, Attorney, Fayetteville, Arkansas.

Respondent represented by MICHAEL C. STILES, Attorney, Little Rock, Arkansas.

OPINION/ORDER

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

On March 16, 2023, Jason Hatfield, claimant's attorney, filed a Form AR-C requesting various compensation benefits in which he alleged injuries to his left arm and neck on or about September 15, 2022. A hearing was requested on February 22, 2024; however, the claimant passed away before the hearing was set and Mr. Hatfield withdrew the claimant's request for a hearing. No further action was taken in this claim.

On December 31, 2024, the respondents filed a Motion to Dismiss requesting that this claim be dismissed for lack of prosecution. A hearing was scheduled for April 22, 2025. Notice of that hearing was sent to the claimant's widow by certified mail, return receipt requested on February 27, 2025. United States Postal Department records indicate that claimant's widow received and signed for the notice on March 4, 2025. Despite having received notice of the scheduled hearing, no one representing the claimant's estate appeared at the hearing.

Mr. Hatfield attended the hearing and indicated that none of the claimant's family members have contacted him regarding pursuing his claim any further; therefore, he had lost standing to pursue this claim.

After my review of respondent's Motion to Dismiss, Mr. Hatfield's response thereto that he is blocked from pursuing this claim by the claimant's death, and the failure of anyone from the claimant's estate to appear at the scheduled hearing, 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 pursuant to A.C.A. §11-9-702(a)(4). This dismissal is without prejudice.

IT IS SO ORDERED.

**HONORABLE ERIC PAUL WELLS
ADMINISTRATIVE LAW JUDGE**