

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. F404774

ABNER ABO, Employee	CLAIMANT
KAWNEER COMPANY, Employer	RESPONDENT
SPECIALTY RISK SERVICES, Carrier	RESPONDENT

OPINION FILED MARCH 14, 2005

Hearing before ADMINISTRATIVE LAW JUDGE GREGORY K. STEWART in Springdale, Washington County, Arkansas.

Claimant proceeding *pro se*, although not present at hearing.

Respondents represented by MICHAEL E. RYBURN, Attorney, Little Rock, Arkansas.

ORDER

\_\_\_\_\_ This case comes on for review following a hearing scheduled and conducted on March 2, 2005.

A pre-hearing conference was conducted in this case on December 22, 2004, based upon claimant's claim that he suffered a compensable injury to his back on January 7, 2004. At the time of the pre-hearing conference a hearing was scheduled on this claim for March 2, 2005. Notice of the March 2 hearing was sent to claimant by certified mail. The certified mail receipt indicates that claimant received the notice on December 28, 2004. Despite having received notice of the hearing, claimant did not appear at the time of the scheduled hearing. Based upon claimant's failure to appear, respondent moved to dismiss this case with prejudice.

After my review of the respondent's motion to dismiss, the claimant's failure to appear at the scheduled hearing of which he had notice, and all other matters properly before this Commission, I find that respondent's motion to dismiss this claim with prejudice should be and hereby is granted.

IT IS SO ORDERED.

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GREGORY K. STEWART  
ADMINISTRATIVE LAW JUDGE