

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F411718

DOUGLAS BURNS	CLAIMANT
WAL MART ASSOCIATES	RESPONDENT
CLAIMS MANAGEMENT, INC., TPA	RESPONDENT

OPINION FILED OCTOBER 21, 2005

Hearing before ADMINISTRATIVE LAW JUDGE MICHAEL L. ELLIG in Springdale, Washington County, Arkansas.

Claimant not represented by counsel.

Respondents represented by TOD BASSETT, Attorney, Fayetteville, Arkansas.

OPINION AND ORDER

A hearing was held in the above styled claim on October 17, 2005, in Springdale, Arkansas. This hearing was held on the Respondent's Motion to Dismiss, in the present claim.

Based upon the Motion, the documents contained in the Commission file, and the claimant's failure to appear at the hearing, I find that the respondent's Motion should be granted.

FINDINGS OF FACT & CONCLUSIONS OF LAW

1. The Arkansas Workers' Compensation has jurisdiction of this claim.
2. An initial claim was filed by the claimant on or about March 1, 2005.
3. This claim has been controverted in its entirety.
4. No action has been taken by the claimant to bring this claimant to hearing or otherwise actively pursue this claim before this Commission.

ORDER

Therefore, the above styled claim is dismissed for lack of prosecution. This dismissal is without prejudice to refiling within the time allotted by Ark. Code Ann. §11-9-702.

IT IS SO ORDERED.

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MICHAEL L. ELLIG  
Administrative Law Judge