

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

WCC NO. F412577

NICOLAS ESTRADA, Employee	CLAIMANT
BASIC CONSTRUCTION COMPANY, Employer	RESPONDENT
NATIONAL FIRE INSURANCE COMPANY, Carrier	RESPONDENT

OPINION & ORDER FILED OCTOBER 31, 2005

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

Claimant failing to appear at hearing.

Respondents represented by SUSAN BROCKETT, Attorney, Little Rock, Arkansas.

ORDER

_____ This case comes on for review following a hearing on respondent's motion to dismiss.

The respondent filed a motion to dismiss this claim for lack of prosecution and a hearing on the respondent's motion was set for October 5, 2005. Notice of the hearing was sent to claimant's last known address and signed for on August 12, 2005. Despite having received notice, claimant did not appear at the hearing and has had no contact with the Commission since receiving notice.

Based upon the claimant's failure to proceed with his claim, claimant's failure to appear at the hearing, and claimant's failure to contact this Commission, I find that respondent's motion to dismiss this claim should be and hereby is granted. This case is dismissed without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE

