

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM F210300**

**LILA A. OSEGUERA,  
EMPLOYEE**

**CLAIMANT**

**DELTA PLASTICS, INC.,  
EMPLOYER**

**RESPONDENT**

**FEDERAL INS. CO.,  
INSURANCE CARRIER**

**RESPONDENT**

**OPINION FILED JUNE 1, 2005.**

Pursuant to a hearing conducted March 3, 2005, before Administrative Law Judge Richard B. Calaway in Hot Springs, Garland County, Arkansas, with

Ms. Carol Lockard Worley, Attorney at Law, Little Rock, Arkansas, appearing for the respondents and

The claimant, proceeding pro se, failing to appear.

**STATEMENT OF THE CASE**

This is a hearing to consider the motion to dismiss filed on behalf of the respondents.

The record shows that the motion was originally filed in June, 2004. At that time, the claimant responded and after a prehearing conference, the case was sent to mandatory mediation. As a result of the mediation, the respondents agreed to pay a medical bill presented by the claimant. Thereafter, there seemed to be no other request for benefits and the respondents renewed the motion to dismiss. On January 4, 2005, a letter was sent to the claimant by certified and regular mail indicating that the respondents had requested that the claim be dismissed and that an order might be issued dismissing the claim. Thereafter, this hearing was scheduled pursuant to notice that was mailed to the claimant by certified and regular mail February 15, 2005.

At the hearing, respondents appeared by counsel, but the claimant failed to appear. A review of the file indicated that the claimant was seeking no other benefit in addition to the payment of the medical bill previously accepted by the respondent carrier as the result of mediation.

Accordingly, due to the claimant's failure to respond to the motion to dismiss and failure to appear at the hearing, as well as a review of the file, it appears that the motion should be, and it is hereby granted and this claim should be, and it is hereby dismissed. .

**IT IS SO ORDERED.**

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RICHARD B. CALAWAY  
Administrative Law Judge