

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM F409508**

**MICHELE E. ALBRIGHT,  
EMPLOYEE**

**CLAIMANT**

**WAL MART ASSOCIATES, INC.,  
SELF-INSURED EMPLOYER**

**RESPONDENT**

**CLAIMS MANAGEMENT, INC.,  
BENEFITS ADMINISTRATOR**

**RESPONDENT**

**OPINION FILED MARCH 28, 2006,**

Pursuant to a hearing conducted March 28, 2006, before Administrative Law Judge Richard B. Calaway in Little Rock, Pulaski County, Arkansas, with

The claimant, pro se, failing to appear and

Ms. Kathryn E. Hall, Attorney at Law, Little Rock, Arkansas, appearing for the respondents.

**STATEMENT OF THE CASE**

This is a hearing to consider the Motion to Dismiss filed on behalf of the respondents.

The record shows that claimant's counsel filed a Form AR-C on behalf of the claimant on September 9, 2004, alleging a compensable injury on August 30, 2004.

The respondents controverted the claim in its entirety and a prehearing conference was scheduled for February 1, 2005. At the request of claimant's counsel, it was rescheduled for February 8, 2005, and thereafter cancelled.

A prehearing conference on May 26, 2005, scheduled a hearing on the issue of compensability for August 18, 2005. This hearing was cancelled pursuant to the facsimile request on behalf of the claimant dated August 5, 2005. On December 12, 2005, a Motion to Withdraw was filed by claimant's counsel. An Order granting the Motion to Withdraw was entered by the

Commission January 4, 2006. The file shows no additional activity on behalf of the claimant since that time.

On February 6, 2005, a Motion to Dismiss was filed on behalf of the respondents and a hearing was scheduled for March 28, 2006, at 11:00 a.m. The claimant was given due notice of this hearing the Motion to Dismiss by certified and regular mail. However, the file does not show a response from the claimant or an indication of a new attorney or any intent on the part of the claimant to appear or to prosecute the claim.

Accordingly, the Motion of the respondents should be, and it is hereby, granted, and this claim is hereby dismissed without prejudice.

**IT IS SO ORDERED.**

---

RICHARD B. CALAWAY  
Administrative Law Judge