

**BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION**

**CLAIM F512257**

**TAMMY L. BROWN,  
EMPLOYEE**

**CLAIMANT**

**CLARION ON THE LAKE,  
EMPLOYER**

**RESPONDENT**

**ZURICH AMERICAN  
INSURANCE COMPANY,  
INSURANCE CARRIER**

**RESPONDENT**

**OPINION FILED JULY 25, 2006,**

Pursuant to a hearing conducted June 20, 2006, before Administrative Law Judge Richard B. Calaway in Little Rock, Pulaski County, Arkansas, with

Mr. David C. Jones, Attorney at Law, Little Rock, Arkansas, appearing for the respondents, and

Ms. Tammy L. Brown, Hot Springs, Arkansas, pro se, failing to appear.

**STATEMENT OF THE CASE**

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

A review of the file reveals that this is a claim related to injuries suffered by the claimant August 19, 2005, during her employment with Clarion On The Lake. The respondents initiated payment of benefits and the claimant filed a Form AR-C dated November 2, 2005, requesting a change of physician. An Order dated January 12, 2006, granted the claimant's request, changing her treating physician from Dr. J. Kelly Mahone to Dr. William Cole. Respondent's counsel indicated at the hearing that the claimant never actually appeared for the appointment with her new treating physician.

Discovery requests were served on the claimant following the receipt of her Form AR-C. When the claimant failed to respond, additional discovery was served on the claimant in March,

2006, along with medical authorizations. Again, the claimant failed to respond to the discovery requests.

On May 11, 2006, the Motion to Dismiss was filed and served on the claimant. The claimant has failed to respond to the Motion and failed to appear at the hearing on the Motion. Accordingly, it appears that the claimant has abandoned her claim and that the Motion should be granted.

Therefore, the Motion to Dismiss should be, and it is hereby, granted and the claim for additional benefits herein is dismissed without prejudice.

**IT IS SO ORDERED.**

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RICHARD B. CALAWAY  
Administrative Law Judge