

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F104193

KENNETH STYRON, Employee	CLAIMANT
MARVIN'S IGA, INC., Employer	RESPONDENT
ROYAL & SUN ALLIANCE, Carrier	RESPONDENT

ORDER & OPINION FILED APRIL 17, 2006

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

The respondent filed a motion to dismiss for failure to prosecute alleging that claimant had taken no action with respect to this particular claim since it was filed in April 2001. A hearing was set on the respondent's motion to dismiss for April 5, 2006, and notice of that hearing was sent to the claimant by certified mail. Claimant received notice of the hearing on February 22, 2006.

Despite having received notice of the hearing, claimant did not appear and has taken no other action to pursue his claim since the filing of the respondent's motion to dismiss.

Based on the foregoing, I find that respondent's motion to dismiss should be and hereby is granted. This claim is dismissed without prejudice.

IT IS SO ORDERED.

GREGORY K. STEWART
ADMINISTRATIVE LAW JUDGE