

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM F603863

**THOMAS TRAMMELL,
EMPLOYEE**

CLAIMANT

**CONTINENTAL EXPRESS, INC.,
EMPLOYER**

RESPONDENT

**GIBRALTAR NATIONAL
INSURANCE COMPANY,
INSURANCE CARRIER**

RESPONDENT

OPINION FILED MAY 31, 2007,

Pursuant to a hearing conducted March 14, 2007, before Administrative Law Judge Richard B. Calaway in Little Rock, Pulaski County, Arkansas, with

Ms. Melissa Wood, Attorney at Law, Little Rock, Arkansas, appearing for the respondents and

Mr. Thomas Trammell, the claimant, pro se, failing to appear.

STATEMENT OF THE CASE

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

A review of the record shows that a First Report of Injury was filed April 11, 2006, stating that the claimant had reported that during his employment as an over-the-road truck driver on March 7, 2006, he was injured when he fell while getting out of his truck at a truck stop in Santa Rosa, New Mexico. A Form AR-2 dated April 12, 2006, was filed, stating that the claim was being controverted and listed as reasons a failure to report timely and no medical records for the date of the injury specified.

On August 4, 2006, by copy of a letter to respondents, the Commission was put on notice that Mr. M. Keith Wren, Attorney at Law, Little Rock, Arkansas, was representing the claimant. On August 8, 2006, the Commission received a letter stating that the respondents were represented by

Ms. Carol Lockard Worley, Attorney at Law, Little Rock, Arkansas. On December 15, 2006, the Commission received a letter from Mr. Wren which was treated as a Motion to withdraw as Attorney of Record. On December 15, 2006, the Clerk of the Commission advised the claimant to respond within ten days from the date of that letter. No response was received and on January 4, 2007, the Commission entered an Order relieving Mr. Wren as Attorney of Record for the claimant.

On February 9, 2007, the Motion to Dismiss was filed on behalf of the respondents with copies mailed to the claimant. On February 13, 2007, Notice of a Hearing scheduled for March 14, 2007, was forwarded to the claimant at his last known address by certified and regular mail. The claimant did not respond to the Motion and failed to appear at the hearing.

Accordingly, premises considered, it appears that the claimant has elected not to pursue his claim, but has wholly abandoned it, and, thus, the Motion should be, and it is hereby, granted and this claim is respectfully dismissed without prejudice.

IT IS SO ORDERED.

RICHARD B. CALAWAY
Administrative Law Judge