

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F305468

GALA L. ASKEW,
EMPLOYEE

CLAIMANT

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

RESPONDENT

ORDER FILED DECEMBER 3, 2004

Upon review before the FULL COMMISSION in Little Rock,
Pulaski County, Arkansas.

Claimant represented by the HONORABLE GARY DAVIS,
Attorney at Law, Little Rock, Arkansas.

Respondents represented by the HONORABLE CURTIS NEBBEN,
Attorney at Law, Fayetteville, Arkansas.

ORDER

This matter is currently before the Full Commission
on the claimant's attorney's Motion to Dismiss
Respondent's Notice of Appeal to the Arkansas Court of
Appeals. The Full Commission's opinion was entered on
June 17, 2004. The Respondent's Notice of Appeal was
filed on July 14, 2004.

Pursuant to Ark. R. App. P. Rule 3(b), this
Commission can dismiss an appeal to the Court of Appeals
only if the motion to dismiss is filed with the
Commission before the record is docketed with the Court,
and if all parties to the appeal petition for dismissal
and jointly stipulate that the case is to be dismissed.

In Re Arkansas Rules of Appellate Procedure 3(b). In the present case, the claimant and the respondent have now jointly stipulated to dismiss the appeal. Because the Commission still retains jurisdiction over this claim, we find that the claimant's Motion to Dismiss Respondent's Appeal to the Arkansas Court of Appeals is hereby granted.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner