

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F102602

MARK BENZ, EMPLOYEE

CLAIMANT

DEMPSEY FILM GROUP INC., EMPLOYER

RESPONDENT

RISK MANAGEMENT RESOURCES, CARRIER

RESPONDENT

ORDER FILED JUNE 21, 2005

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

Claimant represented by HONORABLE SILAS H. BREWER, JR., Attorney at Law, Little Rock, Arkansas.

Respondent represented by HONORABLE CAROL L. WORLEY, Attorney at Law, Little Rock, Arkansas.

ORDER

Presently before the Commission is claimant's Motion to Dismiss Appeal to the Arkansas Court of Appeals. After consideration of claimant's motion, respondents' response thereto, and all other matters properly before the Commission, we find that claimant's motion should be granted.

On March 4, 2005, claimant filed a Notice of Appeal from the Full Commission opinion filed February 9, 2005. On May 4, 2005, the claimant's attorney was advised that the record was complete and ready for the claimant to pick up. Through correspondence dated May 23, 2005, claimant's attorney advised that the claimant does not wish to pursue his appeal. The record has not been lodged with the Court of Appeals. Therefore, jurisdiction remains with the commission.

Claimant does not desire to proceed with his appeal. Respondents do not object to dismissal. Accordingly, we find that the claimant's appeal should be, and hereby is dismissed.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner