

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F110789

BOBBY LAMB, EMPLOYEE	CLAIMANT
DOLLARWAY SCHOOL DISTRICT, EMPLOYER	RESPONDENT
RISK MANAGEMENT RESOURCES, CARRIER	RESPONDENT

ORDER FILED JUNE 30, 2005

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

Claimant is not represented by counsel, but appears pro se.

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

ORDER

This matter is currently before the Full Workers' Compensation Commission on the respondents' request that the claimant's brief not be considered by the Full Commission on appeal. After considering the respondents' motion, the claimant's response thereto, and all other matters properly before the Commission, we find that the respondents' motion should be granted.

This matter is currently on appeal to the Full Commission from an opinion issued on March 18, 2005, where the Administrative Law Judge found that the claimant proved by a preponderance of the evidence that he was entitled to

additional medical treatment. The respondents have filed an appeal with the Commission. The claimant is pro se.

In a letter dated April 26, 2005, the Clerk of the Commission set forth a briefing schedule. The respondents' brief was due May 13, 2005, and the claimant's brief was due May 27, 2005. The claimant's brief was not received by the Clerk of the Commission until June 3, 2005, and is therefore untimely.

Correspondence from the Commission establishing the briefing schedule clearly states that "[a]ny extension request must be submitted in writing *prior to* the due date." *Original emphasis.* Further, the letter establishing the brief schedule states that all briefs must be received by 4:30 p.m. on the date due. Briefs that are received after that due date will be returned to the party.

The briefing schedule specifically delineated that the claimant's brief was due May 27, 2005, but the Commission did not receive the claimant's brief until June 3, 2005. Therefore, the Respondents' Motion to Disregard the Claimant's Brief on Appeal is hereby granted.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

Commissioner Turner dissents.