

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. E614855

DOUGLAS L. STOCKS, EMPLOYEE	CLAIMANT
AFFILIATED FOODS/ CONVENIENT STORE SUPPLY, INC., EMPLOYER	RESPONDENT
HELSMAN MANAGMENT SERVICES, LLC, CARRIER	RESPONDENT

ORDER FILED SEPTEMBER 15, 2006

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

Claimant represented by HONORABLE BOYD TACKETT, JR.,
Attorney at Law, Conway, Arkansas.

Respondent represented by HONORABLE GUY A. WADE, Attorney at
Law, Little Rock, Arkansas.

ORDER

This claim is presently before the Commission on Respondents' Motion to Strike the claimant's Response to Respondents' Reply Brief. After consideration of the respondents' motion, claimant's lack of response thereto, and all other matters properly before the Commission, we find that the respondents' motion must be and hereby is granted.

The respondents filed a timely notice of appeal from the Administrative Law Judge opinion filed on June 1,

2006. Through correspondence dated June 30, 2006, the Clerk of the Commission advised the parties of the briefing schedule. Pursuant to this briefing schedule, respondents' initial brief was due on or before July 21, 2006; claimant's response brief was due on or before August 4, 2006; and respondents' reply brief was due on or before August 11, 2006. As the appealing party, respondents have the right and the duty to file the first brief on appeal, as well as have the right and duty to reply to any argument raised by the appellee in their brief on appeal. Unless special circumstances permit, an appellee does not have the right or the duty to respond to the appealing party's reply brief. Claimant neither requested permission to file a response to the respondents' reply brief nor has he exhibited any special circumstances warranting the need for a response to the respondents' reply brief. Accordingly, we find that the claimant's response to the respondents' reply is not appropriate and should be stricken.

Stocks - E614855

-3-

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

SHELBY W. TURNER, Commissioner

KAREN H. MCKINNEY, Commissioner