

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F309361

DEBBIE HALL, EMPLOYEE	CLAIMANT
PROFESSIONAL EDUCATORS, EMPLOYER	RESPONDENT
CUNNINGHAM LINDSEY, CARRIER/TPA	RESPONDENT

ORDER FILED NOVEMBER 14, 2007

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

Claimant represented by HONORABLE MARVIN "CHIP" LEIBOVICH, JR., Attorney at Law, Bryant, Arkansas.

Respondent No. 1 represented by HONORABLE MICHAEL E. RYBURN, Attorney at Law, Little Rock, Arkansas.

ORDER

This case comes before the Full Commission on the respondent's Motion to Withdraw Appeal to the Court of Appeals and the claimant's Motion to Withdraw Cross-Appeal to the Court of Appeals. The Full Commission issued a decision on July 10, 2007. The respondents filed an appeal and the claimant filed a cross-appeal of that decision. The respondent's motion now seeks to withdraw its appeal to the Court of Appeals. The claimant has agreed to the request of the respondent and indicated that he wishes to withdraw his cross-appeal. The respondents have indicated they have no objection.

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. See also, In Re Arkansas Rules of Appellate Procedure 3(b), 296, Ark. 580, 756 S.W.2d LXXV (1988).

As the parties have jointly stipulated to allow the withdrawal of the appeal and the cross-appeal, we find that both motions must be and hereby are granted.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

PHILIP A. HOOD, Commissioner