

BEFORE THE ARKANSAS WORKERS' COMPENSATION COMMISSION

CLAIM NO. F300911

MARY ROBINSON, EMPLOYEE	CLAIMANT
DREW CENTRAL SCHOOL, EMPLOYER	RESPONDENT
RISK MANAGEMENT RESOURCES, TPA	RESPONDENT

ORDER FILED JULY 15, 2008

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

Claimant represented by HONORABLE MORRIS W. THOMPSON, Attorney at Law, Little Rock, Arkansas.

Respondent represented by HONORABLE BETTY J. HARDY, Attorney at Law, Little Rock, Arkansas.

ORDER

After duly considering the respondent's motion and all other matters properly before the Commission, we find that we do not have authority to dismiss the appeal.

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), 296 Ark. 580, 756 S.W.2d LXXV (1988).

In the present case, the claimant and respondent have not jointly stipulated to dismiss the appeal. Because

the Commission is without jurisdiction over this claim, we have no authority to grant the respondent's motion. Therefore, we find that the motion must be and hereby is denied. The respondent's motions must be addressed with the Court of Appeals.

IT IS SO ORDERED.

OLAN W. REEVES, Chairman

KAREN H. MCKINNEY, Commissioner

PHILIP A. HOOD, Commissioner