

APPEAL NO. 991169

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on May 13, 1999. In response to the issues at the CCH, the hearing officer determined that: (1) the date of injury is _____; (2) the respondent (claimant) did not sustain a compensable injury; (3) claimant timely reported her alleged injury; and (4) claimant did not have disability. Appellant (carrier) has filed a conditional request for review challenging the sufficiency of the evidence to support the hearing officer's finding regarding timely reporting of the alleged injury. Carrier stated that this request for review is a conditional appeal and asks that we consider it only if claimant files a request for review. The file does not contain a request for review from the claimant or a response to the carrier's conditional appeal.

DECISION

Carrier's appeal was conditioned upon the filing of an appeal by the claimant. Because claimant has not filed an appeal, we dismiss the carrier's conditional request for review. Therefore, the hearing officer's decision has become final pursuant to Section 410.169.

Judy L. Stephens
Appeals Judge

CONCUR:

Stark O. Sanders, Jr.
Chief Appeals Judge

Joe Sebesta
Appeals Judge