

APPEAL NO. 001110

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 April 20, 2000. The hearing officer determined that the respondent (claimant) reached statutory maximum medical improvement on September 24, 1997, and that claimant's impairment rating is nine percent, as certified by the designated doctor. The appellant (carrier) filed a Conditional Request for Review asking that the Appeals Panel review the hearing officer's decision only if claimant filed a timely appeal. The file does not contain a response or a request for review from claimant.

DECISION

We find that carrier's request for review was conditioned upon the filing of an appeal by claimant. Because claimant did not file an appeal, we dismiss the carrier's appeal and determine that the decision and order of the hearing officer have become final pursuant to Section 410.169.

Carrier's appeal is dismissed. The hearing officer's decision and order have become final. Section 410.169.

Judy L. Stephens
Appeals Judge

CONCUR:

Tommy W. Lueders
Appeals Judge

Thomas A. Knapp
Appeals Judge