

APPEAL NO. 002082

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 June 20, 2000. The issue at the CCH was disability. The hearing officer determined that the claimant had disability from March 27, 2000, and continuing through the date of the CCH.

On August 16, 2000, the hearing officer issued a Commission Order for Attorney's Fees (Order), covering services for the period from May 5, 2000, through June 29, 2000, approving 15.90 hours, as requested, for a total approved fee, including expenses, of \$1,672.40 out of \$2,194.08 requested. The only item disapproved was an expense item of \$521.68, for travel expense on May 11, 2000, for the CCH. The appellants (attorneys) appeal, indicating that they mistakenly showed the travel date as May 11, 2000, rather than June 20, 2000, the date of the CCH. The attorneys include with their appeal a copy of their Application for Attorney's Fees (TWCC-152), which included receipts for certain travel expenses on June 20, 2000. The attorneys ask that the disapproved item be approved. The appeal file contains no response from the carrier or the claimant.

DECISION

We affirm in part and reverse and render in part.

The documents included with the attorneys' appeal and their TWCC-152 include a receipt and itinerary from Southwest Airlines for travel from Houston to El Paso and back on June 20, 2000, at a cost of \$430.00; a meal receipt on June 20, 2000, for \$10.07; a car rental receipt for June 20, 2000, for \$42.66; an undated parking receipt from Hobby Airport in Houston for \$10.00; and a document on which the only legible word is "_____", the middle name of one of the attorneys.

Based on this documentation, which was also before the hearing officer, we approve travel expenses for travel to the CCH on June 20, 2000, in the amount of \$492.73. The denial of the remainder of that item in the amount of \$28.95 is affirmed as there is no

legible receipt or other document or statement to account for this amount. This results in a total approved fee, including expenses, of \$2,175.13.

Philip F. O'Neill
Appeals Judge

CONCUR:

Tommy W. Lueders
Appeals Judge

Judy L. Stephens
Appeals Judge