

## APPEAL NO. 002628

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 October 4, 2000. The hearing officer resolved the disputed issues of injury, timely report of injury and disability by deciding:

1. The claimant did sustain a work-related injury in the form of an occupational disease .
2. The date of the claimant's injury was \_\_\_\_\_.
3. The carrier was relieved of liability because the claimant failed to timely report her injury to her employer.
4. The claimant did not have disability as her injury was not compensable because the carrier was relieved of liability.

The claimant appeals asking that we review the decision of the hearing officer. The carrier responds that the claimant's appeal is inadequate to invoke our jurisdiction and that the determinations of the hearing officer that were adverse to the claimant were sufficiently supported by the evidence. The carrier appeals the hearing officer's finding that the claimant suffered a work-related injury and was unable to work for a period of time as a result of her injury. There is no response from the claimant to the carrier's appeal.

### DECISION

Finding sufficient evidence to support the decision of the hearing officer and no reversible error in the record, we affirm the decision and order of the hearing officer.

We must first address the question of the adequacy of the claimant's request for review as this matter is jurisdictional. Section 410.202(c) discusses the form of appeals and responses. Early on and repeatedly since, we have held that no particular form of appeal is required and that an appeal, even though terse and unartfully worded, will be considered. Texas Workers' Compensation Commission Appeal No. 91131, decided February 12, 1992; Texas Workers' Compensation Commission Appeal No. 93040, decided March 1, 1993; and cases cited therein. We have also held that appeals which lack specificity will be treated as challenges to the sufficiency of the evidence. Texas Workers' Compensation Commission Appeal No. 92081, decided April 14, 1992. We further note in the case upon which the carrier relies--Texas Workers' Compensation Commission Appeal No. 93824, decided October 27, 1993 (Unpublished)--we found that the appeal was adequate. We find that the appeal is adequate in the present case to invoke our jurisdiction and raise the issue of whether there was sufficient evidence to support the hearing officer's decision.

There was conflicting evidence presented at the CCH on the disputed issues. The hearing officer's determinations on the issues are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

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Gary L. Kilgore  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Robert W. Potts  
Appeals Judge