

APPEAL NO. 002961

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On November 30, 2000, a hearing was held. The hearing officer decided that the respondent (claimant) had sustained a compensable knee injury and had disability resulting from that injury. The appellant (self-insured) appealed. The claimant responded.

DECISION

Reversed and remanded for reconstruction of the record.

The record includes one audiotape. Although evidence was adduced at the hearing and the evidence was recorded, after opening statements the recording of the hearing becomes so faint as to be unintelligible. We, therefore, do not have a useable recording of the testimony adduced at the hearing or arguments of counsel. We reverse and remand the decision of the hearing officer for a reconstruction of the record.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Texas Workers' Compensation Commission's Division of Hearings, pursuant to Section 410.202. See Texas Workers' Compensation Commission Appeal No. 92642, decided January 20, 1993.

Kenneth A. Huchton
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Gary L. Kilgore
Appeals Judge