

APPEAL NO. 011314  
FILED JULY 26, 2001

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 March 1, 2001. The hearing officer resolved the disputed issues by deciding that the appellant's (claimant) compensable injury of \_\_\_\_\_, extends to and includes an injury to her cervical, thoracic, and lumbar spine, but does not extend to her right leg, and that the claimant had disability as a result of her compensable injury from November 25, 1998, to December 15, 1998; from January 18, 1999, to February 3, 1999; and from March 4, 2000, through the date of the CCH. The claimant appealed the decision regarding her right leg and the respondent (self-insured) responded, requesting affirmance. There is no appeal of the hearing officer's decision that the compensable injury extends to and includes an injury to the claimant's cervical, thoracic, and lumbar spine, and that the claimant had disability for the periods found by the hearing officer.

DECISION

The hearing officer's decision that the compensable injury does not extend to the right leg is reversed and remanded for reconstruction of part of the CCH record.

Section 410.203(a) provides that the Appeals Panel shall consider the record developed at the CCH, the written request for appeal, and the response. Claimant's Exhibit No. 1, which was admitted at the CCH, is not in the appeal file. Accordingly, we must remand the case to the hearing officer to reconstruct the record with regard to Claimant's Exhibit No. 1.

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.

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Robert W. Potts  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge