

APPEAL NO. 012197  
FILED OCTOBER 29, 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 August 17, 2001. With respect to the issues before her, the hearing officer determined that the appellant (claimant) did not sustain a compensable injury on \_\_\_\_\_, and did not have disability. The claimant appeals on sufficiency grounds. In its response, the respondent (carrier) urges that the hearing officer's decision and order be affirmed in its entirety.

DECISION

Reversed and remanded for reconstruction of the record.

The file forwarded to us for review contains only the hearing officer's decision and order, the claimant's request for review, and the carrier's response to the request for review. The entirety of the CCH record is omitted. Because the record is missing, the case must be remanded for the reconstruction of the record. Section 410.203(a)(1) requires the Appeals Panel to consider "the record developed at the [CCH]." *And see* Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 143.2(a) Rule 143.2(a). *See also* Texas Workers' Compensation Commission Appeal No. 92153, decided May 29, 1992, and cases cited therein.

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 (amended June 17, 2001). See Texas Workers' Compensation Commission Appeal No. 92642, decided January 20, 1993.

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge