

APPEAL NO. 012366
FILED NOVEMBER 28, 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 was held on July 16, 2001, and September 11, 2001. The hearing officer held that the appellant (claimant) was not entitled to supplemental income benefits (SIBs) for his sixth quarter of eligibility.

The claimant appeals and argues that he conducted a good faith search for employment in every week of the qualifying period. The respondent (carrier) responds that the claimant's Request for Review is inadequate and that evidence is factually sufficient to support the hearing officer's determinations.

DECISION

We affirm the hearing officer's decision.

We hold that the appeal sufficiently complies with Section 410.202(c) and therefore will consider it with respect to the errors alleged in the hearing officer's decision on the issues before her.

There is sufficient evidence to support the hearing officer's determination that the claimant was not entitled to SIBs. The hearing officer has summarized the pertinent facts. The essence of the appeal is that the claimant disagrees with the hearing officer's determination that he did not make a good faith effort to obtain employment commensurate with his ability to work. The matters raised by the claimant involve fact and credibility issues which were for the hearing officer to resolve. We have reviewed the hearing officer's determinations and we conclude that they 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).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERISURE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CINDY GHALIBAF
7610 STEMMONS, SUITE 350
DALLAS, TEXAS 75247-4216.**

Susan M. Kelley
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Phillip F. O'Neill
Appeals Judge