

APPEAL NO. 013093  
FILED JANUARY 29, 2002

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 October 23, 2001. The record closed on October 25, 2001. The hearing officer determined that the compensable injury of appellant (claimant) did not extend to hallucinations, depression, psychosis, or schizophrenia. Claimant appealed these determinations on sufficiency grounds. Respondent (carrier) responded that claimant's appeal is not timely and also that the hearing officer did not err in his determinations.

DECISION

Claimant's appeal was not timely filed. Therefore, it did not invoke the jurisdiction of the Appeals Panel and the hearing officer's decision and order have become final pursuant to Section 410.169.

We note that Section 410.202 was amended effective June 17, 2001, to exclude Saturdays, Sundays, and holidays listed in the Texas Government Code in the computation of the 15-day appeal period. In this instance, the hearing officer's decision and order was distributed to the parties on November 7, 2001. In the request for review, claimant did not say when he received a copy of the hearing officer's decision. The deemed receipt date is November 12, 2001, pursuant to Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 102.5(d) (Rule 102.5(d)). Based on that deemed date of receipt, the 15-day deadline for mailing the appeal was December 5, 2001. The mailing envelope indicates that the appeal was mailed by claimant to the Texas Workers' Compensation Commission on December 12, 2001, and was received on December 17, 2001. The appeal was not timely filed.

Because claimant did not timely file his request for review, the request for review did not properly invoke the Appeals Panel's jurisdiction. The hearing officer's decision and order became final pursuant to Section 410.169 and Rule 142.16(f).

According to information provided by carrier, the true corporate name of the insurance carrier is **HARTFORD UNDERWRITERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**C. T. CORPORATION SYSTEMS  
350 N. ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Michael B. McShane  
Appeals Judge

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Terri Kay Oliver  
Appeals Judge