

APPEAL NO. 021043
FILED JUNE 11, 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 April 2, 2002. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____, and had disability from May 30, 2001, continuing through the date of the hearing. The appellant (self-insured) appeals the determinations on sufficiency grounds. The claimant urges affirmance.

DECISION

The decision and order of the hearing officer have become final pursuant to Section 410.169.

A written request for appeal must be filed within 15 days of the date of receipt of the hearing officer's decision, excluding Saturdays, Sundays, and holidays listed in the Texas Government Code. Section 410.202(a) and (d). Texas Workers' Compensation Commission (Commission) records indicate that the hearing officer's decision and order was issued on April 5, 2002, and was received by the self-insured's Austin representative on that date, not April 8 as the appeal asserts. The last date for the self-insured to timely file an appeal was April 26, 2002. The appeal was filed by hand-delivery on April 29, 2002, and was stamped as received by the Commission's Chief Clerk of Proceedings on that date. The appeal is, therefore, untimely.

The appeal being untimely, the jurisdiction of the Appeals Panel was not properly invoked and the decision and order of the hearing officer has become final under Section 410.169

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**MANAGER
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Susan M. Kelley
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge