

APPEAL NO. 021254
FILED JULY 8, 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 in two sessions on February 6, 2002, and April 29, 2002. With respect to the single issue before her, the hearing officer determined that the respondent (claimant) is entitled to supplemental income benefits (SIBs) for the fourth quarter. In its appeal, the appellant (carrier) argues that the hearing officer's determinations that the claimant made a good faith job search in the qualifying period for the fourth quarter and that he is entitled to SIBs for that quarter are against the great weight of the evidence. In his response to the claimant's appeal, the claimant urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant made a good faith job search in the qualifying period for the fourth quarter. In its appeal, the carrier argues that the claimant did not make a good faith job search because he applied for jobs for which he was not qualified and because he did not apply for all of the jobs supplied to him by the carrier's vocational rehabilitation specialist. The carrier did not submit any evidence in support of those assertions. Indeed, in final argument, the hearing officer sustained objections to the very arguments advanced in the carrier's appeal because the arguments were not supported by the carrier's evidence submitted at the hearing. Accordingly, we find no merit in the carrier's argument that the hearing officer's determinations that the claimant made a good faith search for employment in the qualifying period and that he is entitled to SIBs for the fourth quarter are against the great weight of the evidence.

The hearing officer's decision and order are affirmed.

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

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

Elaine M. Chaney
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Thomas A. Knapp
Appeals Judge