

APPEAL NO. 021448
FILED JULY 17, 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 29, 2002. The appellant (claimant) appeals the hearing officer's determination that she had disability from June 28, 2001, through August 9, 2001. The respondent (self-insured) responds, urging affirmance.

DECISION

A timely appeal not having been filed with the Texas Workers' Compensation Commission (Commission), the decision of the hearing officer has become final.

The decision of the Commission was distributed on May 2, 2002. Pursuant to Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE §102.5(d) (Rule 102.5(d)), the claimant is deemed to have received this decision on May 7, 2002. The appeal was due in accordance with amended Section 410.202 to be filed by May 29, 2002. The appeal filed with the Commission was postmarked on May 31, 2002; and not received by the Commission until June 6, 2002; this is untimely and by operation of Section 410.169, the hearing officer's decision has become final.

The true corporate name of the self-insured is **(SELF-INSURED)** and the name and address of its registered agent for service of process is

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

Roy L. Warren
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Susan M. Kelley
Appeals Judge