

APPEAL NO. 022644
FILED DECEMBER 3, 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 September 25, 2002. The hearing officer determined that the appellant (claimant) is not entitled to supplemental income benefits (SIBs) for the 11th quarter. The claimant appeals the hearing officer's determination on sufficiency grounds. No response was filed.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant is not entitled to 11th quarter SIBs. At issue on appeal was whether the claimant made a good faith job search during the qualifying period, thereby entitling him to 11th quarter SIBs. The hearing officer did not err in determining that the claimant did not satisfy the good faith requirement in the qualifying period for the 11th quarter of SIBs by demonstrating that he made a good faith effort to look for work commensurate with his ability to work. The hearing officer was not persuaded that the evidence presented by the claimant was sufficient to satisfy the requirements of Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 130.102(e) (Rule 130.102(e)); thus, she further determined that the claimant did not prove that he made a good faith effort to look for work in the qualifying period for the 11th quarter. Nothing in our review of the record reveals that the challenged good faith determination is so against the great weight as to be clearly wrong or manifestly unjust. As such, no sound basis exists for us to disturb that determination, or the determination that the claimant is not entitled to SIBs for the 11th quarter, on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

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

**JAVIER GONZALEZ
3421 WEST WILLIAM CANNON DRIVE
SUITE 131, PMB #113
AUSTIN, TEXAS 78745.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Robert Potts
Appeals Judge