

APPEAL NO. 023080
FILED DECEMBER 30, 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 24, 2002. The hearing officer determined that the appellant (claimant) is not entitled to supplemental income benefits for the 11th quarter. The claimant appeals and the respondent (carrier) responds, urging affirmance.

DECISION

A timely appeal not having been filed, the decision and order of the hearing officer have become final pursuant to Section 410.169.

A request for review is timely if it is mailed on or before the 15th day after the date of receipt of the hearing officer's decision, excluding Saturdays, Sundays, and holidays listed in Section 662.003 of the Texas Government Code, and if it is received by the Texas Workers' Compensation Commission (Commission) not later than the 20th day after the date of receipt of the hearing officer's decision. Section 410.202(a) and (d); Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 143.3(c) (Rule 143.3(c)). In her appeal, the claimant states that she received the hearing officer's decision on November 2, 2002. To be timely, the claimant's appeal must have been mailed on or before November 25, 2002, and received by the Commission not later than December 2, 2002, (a Monday). The claimant's appeal indicates that it was mailed to the Commission by certified mail on November 21, 2002. The Commission did not receive the appeal until December 6, 2002, and the appeal was stamped as received on that date. Thus, the appeal is 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 pursuant to Section 410.169.

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

**JIM ADAMS, ATTORNEY
450 GEARS ROAD, SUITE 500
HOUSTON, TEXAS 77067.**

Susan M. Kelley
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Terri Kay Oliver
Appeals Judge