

APPEAL NO. 030211
FILED MARCH 11, 2003

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 December 9, 2002. In accordance with the agreement entered into by the parties on the date of the hearing, the hearing officer determined that the appellant (claimant) sustained a compensable lumbar injury on _____, and had disability from March 29, 2002, through the date of the hearing. The claimant appeals this decision. The appeal file contains no response from the respondent (carrier).

DECISION

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

Records of the Texas Workers' Compensation Commission (Commission) reflect that the hearing officer's decision was mailed to the claimant on December 13, 2002. Pursuant to Section 410.202(a) and Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 143.3(c) (Rule 143.3(c)), for an appeal to be considered timely, it must be filed or mailed within 15 days and received by the Commission within 20 days, exclusive of Saturdays, Sundays, and holidays listed in Section 662.003 of the Texas Government Code, of the date of receipt of the hearing officer's decision. Applying Rule 102.5(d) and Section 410.202, the claimant was deemed to have received the hearing officer's decision on December 18, 2002, and the deadline for the claimant to file an appeal was January 14, 2003. The envelope containing the claimant's appeal reflects that it was mailed on January 23, 2003. The appeal was received by the Commission on January 27, 2003.

Because the claimant's appeal was neither timely filed nor received by the Commission, the hearing officer's decision and order have become final pursuant to Section 410.169 and Rule 142.16(f).

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

**CT CORPORATION SYSTEMS
350 NORTH ST. PAUL STREET, SUITE 2900
DALLAS, TEXAS 75201.**

Chris Cowan
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Thomas A. Knapp
Appeals Judge