

APPEAL NO. 031988  
FILED SEPTEMBER 10, 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 June 12, 2003. The hearing officer determined that the compensable injury of appellant (claimant) extends to include a head injury, headaches, dizziness, and facet degenerative disease of the lumbar spine, but does not extend to an injury to the cervical spine, cervical or thoracic degenerative facet disease, or hearing loss. Claimant appealed the adverse determination regarding the cervical spine and hearing loss, only. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We reverse and remand.

Regrettably, due to some apparent technical failure, side B of the audiotape was not recorded until about three quarters of the way through when someone, apparently the hearing officer, indicated that he was ready for claimant's closing argument. Side A of the audiotape ran out during cross-examination by carrier. We must remand this case for reconstruction of the record.

We reverse the hearing officer's decision and order and remand for reconstruction of the record.

According to information provided by carrier, the true corporate name of the insurance carrier is **TEXAS PROPERTY & CASUALTY INSURANCE GUARANTY ASSOCIATION for Petrosurance Casualty Company, an impaired carrier** and the name and address of its registered agent for service of process is

**MARVIN KELLY, EXECUTIVE DIRECTOR  
9120 BURNET ROAD  
AUSTIN, TEXAS 78758.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge