

APPEAL NO. 033182  
FILED FEBRUARY 4, 2004

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 November 10, 2003. The hearing officer determined that the appellant (claimant) did not sustain a compensable injury, including a compensable right shoulder and neck injury, in the course and scope of employment with his employer on \_\_\_\_\_, or any other date; that the claimant did not sustain disability beginning on May 5, 2003, and continuing through the date of the hearing, or for any other period of time; that the respondent (carrier) is relieved of liability under Section 409.002, because of the claimant's failure to timely notify his employer pursuant to Section 409.001; and that the claimant did not have good cause for failing to timely report his claimed injury of \_\_\_\_\_. The claimant mailed a copy of the brochure of the Texas Workers' Compensation Commission (Commission) regarding "Review of Claims Disputes by the Commission's Appeals Panel" with the certificate of service portions filled in and signed and no other information added to the printed brochure. The file does not contain a response from the carrier.

DECISION

The above communication does not meet the minimum requirements of an appeal; the decision and order of the hearing officer are final.

The Appeals Panel has held that where a claimant files only a signed copy of the previously described brochure, this is not sufficient to serve as an appeal because the claimant "did not adequately state the grounds upon which review was requested nor indicate disagreement with any portion of that decision." Texas Workers' Compensation Commission Appeal No. 94973, decided September 1, 1994; Texas Workers' Compensation Commission Appeal No. 000452, decided April 13, 2000; Texas Workers' Compensation Commission Appeal No. 012821, decided January 2, 2002. In this case, the claimant did not indicate on the brochure or elsewhere, what was being appealed or what portions of any decision he disagreed with. Because an adequate appeal was not filed, the Appeals Panel's jurisdiction has not been invoked.

The hearing officer's decision and order has become final. Section 410.169.

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

**MR. RUSSELL R. OLIVER, PRESIDENT  
221 WEST 6TH STREET  
AUSTIN, TEXAS 78701.**

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Chris Cowan  
Appeals Judge