

APPEAL NO. 040686  
FILED MAY 5, 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 March 9, 2004. The hearing officer determined that appellant (claimant) is not entitled to supplemental income benefits (SIBs) for the first through fifth quarters. Claimant appealed the hearing officer's adverse determinations regarding good faith and SIBs entitlement for the fourth and fifth quarters. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order. The hearing officer's determinations regarding SIBs entitlement for the first through third quarters were not appealed and have become final. Section 410.169.

DECISION

We affirm.

We have reviewed the complained-of determinations regarding good faith and SIBs entitlement for the fourth and fifth quarters and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

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

**JOSEPH A. YURKOVICH  
1431 GREENWAY DRIVE, SUITE 450  
IRVING, TEXAS 75038.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Daniel R. Barry  
Appeals Judge

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Chris Cowan  
Appeals Judge