

APPEAL NO. 040799
FILED JUNE 1, 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 16, 2004. The hearing officer resolved the disputed issue by determining that the appellant's (claimant) _____, compensable injury does not include nonspecific nerve damage in the lower abdomen resulting in myofascial pain trigger point. The claimant appeals this determination. The appeal file contains no response from the respondent (carrier).

DECISION

Reversed and remanded.

Section 410.203(a)(1) requires that the Appeals Panel consider the record developed at the hearing. A court reporter was not present at the hearing and the file does not contain an audiotape recording of the proceedings. Accordingly, we must remand for reconstruction of the record. Additionally, Hearing Officer Exhibit Nos. 1 and 2 are not included in the file and should be obtained on remand.

Pending resolution of the remand, a final decision has not been made in this case. However, since reversal and remand necessitate the issuance of a new decision and order by the hearing officer, a party who wishes to appeal from such new decision must file a request for review not later than 15 days after the date on which such new decision is received from the Texas Workers' Compensation Commission's Division of Hearings, pursuant to Section 410.202, which was amended June 17, 2001, to exclude Saturdays and Sundays and holidays listed in Section 662.003 of the Texas Government Code in the computation of the 15-day appeal and response periods.

The hearing officer's Finding of Fact No. 6 reflects that the carrier supplied an information sheet at the hearing indicating that the true corporate name of the insurance carrier is **HARTFORD UNDERWRITERS INSURANCE COMPANY** and its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Chris Cowan
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Veronica L. Ruberto
Appeals Judge