

APPEAL NO. 080092  
FILED MARCH 25, 2008

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on December 13, 2007. With regard to the two issues before him the hearing officer determined that on \_\_\_\_\_, the respondent/cross-appellant (claimant) sustained a compensable injury and that the claimant did not have disability from \_\_\_\_\_, through December 13, 2007.

The appellant/cross-respondent (self-insured) appealed the hearing officer's decision on the compensable injury issue on a sufficiency of the evidence basis and the claimant appealed the hearing officer's decision on the disability issue contending that medical evidence and the claimant's testimony supported a finding of disability through the date of the CCH. Both parties responded to the other's appeal.

DECISION

Reversed and remanded for reconstruction of the record.

Section 410.203(a)(1) provides that the Appeals Panel shall consider the record developed at the CCH. The CCH was recorded on two compact discs (CD's). Both CD's submitted are broken in half. The appeal file does not indicate that a court reporter was present and the file does not contain a transcript. Consequently, we remand the case to the hearing officer for reconstruction of the record.

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 Department of Insurance, Division of Workers' Compensation, 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. See Appeals Panel Decision 060721, decided June 12, 2006.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**COUNTY JUDGE  
(ADDRESS)  
(CITY), TEXAS (ZIP CODE).**

---

Thomas A. Knapp  
Appeals Judge

CONCUR:

---

Veronica L. Ruberto  
Appeals Judge

---

Margaret L. Turner  
Appeals Judge