

APPEAL NO. 080183  
FILED APRIL 9, 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 10, 2007. The hearing officer decided that the respondent (claimant) had disability from November 1, 2006, through February 26, 2007, and from May 22, 2007, through July 12, 2007. The appellant (carrier) appealed the adverse determinations on a sufficiency of the evidence basis. The appeal file contains no response from the claimant.

DECISION

Reversed and remanded for reconstruction of the record.

The CCH record, including the exhibits, has not been received by the Appeals Panel. Efforts to locate the record of the proceeding have been unsuccessful. Section 410.203(a)(1) requires the Appeals Panel to consider the record developed at the CCH. See Appeals Panel Decision (APD) 070341, decided April 2, 2007. The decision and order of the hearing officer are reversed and the case is remanded for reconstruction of the CCH record, to include exhibits, or forwarding of the CCH record if it can be located.

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 APD 060721, decided June 12, 2006.

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 RAY OLIVER, PRESIDENT  
6210 EAST HIGHWAY 290  
AUSTIN, TEXAS 78723.**

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Veronica L. Ruberto  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Margaret L. Turner  
Appeals Judge