

APPEAL NO. 141621  
FILED SEPTEMBER 12, 2014

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 June 18, 2014, in Houston, Texas, with [hearing officer] presiding as hearing officer. The hearing officer resolved the disputed issue by deciding that the respondent (claimant) had disability beginning on December 23, 2013, and continuing through the date of the CCH.

The appellant (carrier) appealed the hearing officer's determination. The carrier contended that the hearing officer's determination is against the great weight and preponderance of the evidence. The carrier also contended that the hearing officer should be recused and the case remanded to another hearing officer due to activities that occurred after the conclusion of the CCH. The claimant responded, urging affirmance of the hearing officer's determination. The claimant contended that the case should not be remanded to another hearing officer.

DECISION

Reversed and remanded.

Due to activities that occurred after the conclusion of the CCH, this case is reversed and remanded. The Decision and Order is void, and the hearing officer is to be recused. Another hearing officer shall be appointed to hear this matter on a *de novo* basis. At the rehearing of this matter, both parties shall be allowed to present evidence in support of their respective positions in accordance with Texas Department of Insurance, Division of Workers' Compensation (Division) Rules. See Appeals Panel Decision (APD) 022143, decided September 19, 2002.

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 Division, 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 **INDEMNITY INSURANCE COMPANY OF NORTH AMERICA** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
1999 BRYAN STREET, SUITE 900  
DALLAS, TEXAS 75201-3136.**

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Carisa Space-Beam  
Appeals Judge

CONCUR:

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Veronica L. Ruberto  
Appeals Judge

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Margaret L. Turner  
Appeals Judge