

APPEAL NO. 142260
FILED DECEMBER 5, 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 September 10, 2014, in Midland, Texas, with [hearing officer] presiding as hearing officer. The hearing officer resolved the disputed issues by deciding that: (1) the compensable injury does not extend to aggravation of disc bulges in the lumbar spine at levels L4-5 and L5-S1, lumbar radiculopathy, lumbar neuritis, and chronic pain syndrome; (2); the appellant (claimant) reached maximum medical improvement on July 2, 2013; (3) the impairment rating is zero percent; and (4) the claimant had disability from May 31 through July 1, 2013, but not thereafter through September 2, 2013.

The claimant appealed all of the hearing officer's determinations. The respondent (self-insured) responded, urging affirmance of the disputed determinations.

DECISION

Reversed and remanded for reconstruction of the record.

Section 410.203(a)(1) requires the Appeals Panel to consider the record developed at the CCH. The compact disc recording and/or transcript, together with the evidence, of the CCH of September 10, 2014, are missing and have not been provided to the Appeals Panel after two requests. Consequently, we reverse and remand this case to the hearing officer who presided over the September 10, 2014, CCH, if possible, for reconstruction of the CCH record. See Appeals Panel Decision (APD) 060353, decided April 12, 2006.

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 **MIDLAND INDEPENDENT SCHOOL DISTRICT (a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**CRYDER WARREN
615 WEST MISSOURI AVENUE
MIDLAND, TEXAS 79701.**

Cristina Beceiro
Appeals Judge

CONCUR:

Carisa Space-Beam
Appeals Judge

Margaret L. Turner
Appeals Judge