

APPEAL NO. 002783

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. §. 401.001 *et seq.* (1989 Act). On November 6, 2000. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) did not sustain a compensable injury on _____, and that the claimant has not had disability. The claimant appealed and the respondent (self-insured) responded.

DECISION

The hearing officer's decision and order are affirmed.

There was conflicting evidence presented on the issue of whether the claimant sustained an injury in the course and scope of his employment on _____. The hearing officer determined that the claimant did not sustain an injury in the course and scope of his employment on _____. The claimant contends that the hearing officer misstated the evidence. We do not find that to be the case. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. We conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Since we are affirming the hearing officer's determination that the claimant did not sustain a compensable injury on _____, the claimant would not have disability resulting from that claimed injury. Section 401.011(16).

The hearing officer's decision and order are affirmed.

Robert W. Potts
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Thomas A. Knapp
Appeals Judge