

APPEAL NOS. 002834  
AND 002835

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On November 14, 2000, a contested case hearing was held. The hearing officer resolved the disputed issues by deciding that: (1) the compensable injury sustained on \_\_\_\_\_, is a producing cause of claimant's lower back condition after \_\_\_\_\_; (2) the claimant did not sustain a compensable injury on \_\_\_\_\_; and (3) the claimant has not had disability from the claimed injury of \_\_\_\_\_. The claimant and carrier 1, who was the workers' compensation insurance carrier for the employer on \_\_\_\_\_, appealed. Carrier 2, who was the workers' compensation insurance carrier for the employer on February 1, 2000, responded.

DECISION

Affirmed.

There is conflicting evidence as to whether the claimant sustained a new compensable injury on February 1, 2000. The hearing officer decided that the claimant did not sustain a compensable injury on \_\_\_\_\_, and that the compensable injury sustained on \_\_\_\_\_, is a producing cause of the claimant's lower back condition after \_\_\_\_\_. 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 determinations are supported by sufficient evidence and that they are not so contrary to 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 as a result of that claimed injury. Section 401.011(16).

The hearing officer's decision and order are affirmed.

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Robert W. Potts  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge