

APPEAL NO. 002837

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on November 8, 2000, and November 13, 2000. The hearing officer determined that respondent/cross-appellant (claimant) sustained an injury in the course and scope of his employment, but that he did not timely report the injury, and that he did not have disability. Claimant appealed the determinations regarding compensability, timely reporting, and disability, on sufficiency grounds. Appellant/cross-respondent (carrier) responded that the Appeals Panel should affirm these complained-of determinations, but appealed the determination that claimant sustained an injury in the course and scope of his employment. Claimant responded that the hearing officer's determination in this regard was correct.

DECISION

We affirm.

We have reviewed the complained-of determinations in both the appeal and cross-appeal. The issues involved fact issues for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the hearing officer's decision and order.

Judy L. Stephens
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Gary L. Kilgore
Appeals Judge