

APPEAL NO. 002966

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On November 8, 2000, a hearing was held. 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 (carrier) responded.

DECISION

The hearing officer's decision is affirmed.

There was conflicting evidence presented on the issue of whether the claimant sustained a compensable injury while working as a baggage handler for the employer on \_\_\_\_\_. The hearing officer is the sole judge of the weight and credibility of the evidence. As the trier of fact the hearing officer resolves the conflicts in the evidence. The hearing officer's decision that the claimant did not sustain a compensable injury is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Without a compensable injury, the claimant would not have disability as defined by 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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Kenneth A. Huchton  
Appeals Judge

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Robert E. Lang  
Appeals Panel  
Manager/Judge