

APPEAL NO. 010102

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On December 11, 2000, a hearing was held. The hearing officer resolved the disputed issue by deciding that the appellant's (claimant) compensable injury of \_\_\_\_\_, does not extend to a disc herniation at L4-5 and to degenerative changes at L5-S1. The claimant appealed and the respondent (self-insured) responded.

DECISION

The hearing officer's decision is affirmed.

Conflicting evidence was presented at the hearing with regard to the disputed issue and that evidence is set forth at length in the hearing officer's decision. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. The hearing officer's decision is supported by sufficient evidence and is not against the great weight and preponderance of the evidence. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

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Robert W. Potts  
Appeals Judge

CONCUR:

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Robert E. Lang  
Appeals Panel  
Manager/Judge

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Philip F. O'Neill  
Appeals Judge