

APPEAL NO. 010215

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On December 18, 2000, a hearing was held. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) did not sustain a compensable repetitive trauma injury, that the claimant has not had disability, and that the respondent (carrier) timely contested compensability of the claimed injury. The claimant appeals the hearing officer's decision that he did not sustain a compensable repetitive trauma injury, asserting that the medical evidence shows that he did sustain a work-related injury.

DECISION

The hearing officer's decision is affirmed.

Conflicting evidence was presented with regard to whether the claimant sustained a repetitive trauma injury at work. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The weight to be given to the evidence, including the testimony and the medical reports, was for the hearing officer to determine as the trier of fact. The hearing officer's decision 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.

The hearing officer's decision and order are affirmed.

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Thomas A. Knapp
Appeals Judge