

APPEAL NO. 010369

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). On January 26, 2001, a hearing was held. The hearing officer resolved the disputed issues by deciding that on \_\_\_\_\_, the respondent (claimant) sustained a compensable injury; that the \_\_\_\_\_, injury includes chondromalacia, degenerative chondrosis, and lateral compression of the left knee; that the \_\_\_\_\_, injury does not include a popliteal cyst; that the appellant (self-insured) is not relieved of liability because the claimant did timely notify the self-insured of her work-related injury; and that the claimant is not barred from pursuing workers' compensation benefits due to the election of remedies doctrine. The self-insured appealed all of the hearing officer's determinations except for the determination that the \_\_\_\_\_, injury does not include a popliteal cyst and the claimant responded.

DECISION

The hearing officer's decision is affirmed.

Conflicting evidence was presented at the hearing. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The claimant's testimony and the reports of her treating doctor support the hearing officer's determinations. The appealed findings of fact, conclusions of law, and decision are supported by sufficient evidence and are 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.

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Robert W. Potts  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge