

APPEAL NO. 010956  
FILED JUNE 14, 2001

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 April 9, 2001. The hearing officer resolved the disputed issue by deciding that the appellant (claimant) has not had disability as a result of her compensable injury of \_\_\_\_\_. The claimant appealed and the respondent (carrier) responded.

DECISION

The hearing officer's decision is affirmed.

The claimant had the burden to prove that she had disability as defined in Section 401.011(16). There was conflicting evidence in this case with regard to the disputed issue. Section 410.165(a) provides that 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 and determines what facts have been established from the conflicting evidence. The hearing officer's decision that the claimant did not have disability as a result of her compensable injury of \_\_\_\_\_, 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.

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Robert W. Potts  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Thomas A. Knapp  
Appeals Judge