

APPEAL NO. 011036
FILED JUNE 22, 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 18, 2001. With respect to the issues before her, the hearing officer determined that the appellant (claimant) did not sustain a compensable occupational disease injury; that the date of the alleged injury is _____; that claimant had no disability; and that the claimant timely notified his employer of a claimed injury. Claimant appeals the adverse determinations regarding injury and disability. The issue of timely notice to the employer has not been appealed and has become final. Section 410.169. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

The claimant appeals the hearing officer's determinations on sufficiency grounds. We have reviewed the complained-of determinations and we conclude that they are not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). Claimant complains that the hearing officer misapplied the burden of proof in this case. However, the record does not support this assertion. There is also no indication that the hearing officer misapplied the law of sole cause.

We affirm the hearing officer's decision and order.

Judy L. S. Barnes
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Michael B. McShane
Appeals Judge