

APPEAL NO. 011092  
FILED JUNE 28, 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 (CCH) was held on April 30, 2001. With regard to the issues before him, the hearing officer determined that the respondent (claimant herein) sustained a compensable injury on \_\_\_\_\_, and had disability beginning on November 18, 2000, and continuing through the date of the CCH. The appellant (carrier herein) files a request for review arguing that these determinations were contrary to the evidence. The claimant responds that the hearing officer's decision was sufficiently supported by the evidence.

DECISION

Finding sufficient evidence to support the decision of the hearing officer and no reversible error in the record, we affirm the decision and order of the hearing officer.

There was conflicting evidence presented at the CCH on the issues of injury and disability. The claimant testified that he was injured while working for the employer, when he was struck by shopping carts which were being pushed by a forklift. There was testimony from the claimant's supervisor and the employer's risk manager contradicting portions of the claimant's testimony. The question under our standard of review was whether the hearing officer's determinations were 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). Applying this standard, we find sufficient evidence to support the hearing officer's finding that the claimant sustained a compensable injury on \_\_\_\_\_, and had disability from November 18, 2000, continuing through the date of the CCH.

The decision and order of the hearing officer are affirmed.

---

Gary L. Kilgore  
Appeals Judge

CONCUR:

---

Judy L. S. Barnes  
Appeals Judge

---

Robert W. Potts  
Appeals Judge