

APPEAL NO. 011428
FILED AUGUST 2, 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 May 29, 2001. The hearing officer determined that appellant (claimant) did not sustain an occupational disease repetitive trauma neck injury and that she did not have disability. Claimant appealed these determinations on sufficiency grounds. Respondent (carrier) responded that the Appeals Panel should affirm the hearing officer's decision and order.

DECISION

We affirm.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations 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 complained that the hearing officer did not consider all the evidence. However, there is nothing in the record to support this contention. Claimant contends that the ombudsman was not sufficiently prepared at the hearing. However, the ombudsman's role is merely to assist in the presentation of the case. Claimant was responsible for preparation and presentation of her case. Claimant's exhibits were admitted and she testified regarding her claimed injury. We perceive no reversible error in this case.

We affirm the hearing officer's decision and order.

Judy L. S. Barnes
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Michael B. McShane
Appeals Judge