

APPEAL NO. 011611
FILED AUGUST 31, 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 June 26, 2001. The hearing officer determined that the respondent's (claimant) compensable injury of _____, did extend to and include carpal tunnel syndrome (CTS) of the left wrist in addition to two finger fractures. The appellant (carrier) has appealed on sufficiency of the evidence grounds. No response to the appeal was submitted.

DECISION

Affirmed.

The evidence sufficiently supports the hearing officer's determination that the claimant's compensable injury extends to and includes CTS of the left wrist in addition to two finger fractures. At the CCH, the parties stipulated that the claimant sustained a compensable injury on _____. The hearing officer determined that the mechanism of injury was consistent with the claimed injuries, that the medical records contain mention of problems with the arm soon after the injury to the fingers, and that the medical evidence sufficiently supports that the CTS is related to the compensable injury. The hearing officer recognized that other medical evidence disputes any relationship between the CTS and the original injury, yet he resolved the conflicts in favor of the claimant and found that the compensable injury of _____, was a producing cause of the CTS.

The hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given the evidence. Section 410.165(a). It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). This is equally true regarding medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). We will reverse the factual determination of a hearing officer only if that determination is so against the great weight and preponderance of the evidence as to be clearly wrong and manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986). Applying this standard of review to the record of this case, we decline to substitute our opinion of the evidence for that of the hearing officer.

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **CONTINENTAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**JIM SANSING
6805 NORTH CAPITAL OF TEXAS HIGHWAY
AUSTIN, TX 78731.**

Michael B. McShane
Appeals Judge

CONCUR:

Philip F. O'Neill
Appeals Judge

Gary L. Kilgore
Appeals Judge