

APPEAL NO. 011752
FILED SEPTEMBER 10, 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 resolved the disputed issues by deciding that the appellant (claimant) did not sustain a compensable injury on _____; that the claimant did timely report the claimed injury to her employer within 30 days from the date of the claimed injury; that the date of the claimed injury was _____; and that the claimant has not had disability. The claimant appealed the hearing officer's determinations that she did not sustain a compensable injury on _____, and that she has not had disability. The respondent (self-insured) responded, requesting affirmance. There is no appeal of the hearing officer's determinations that the date of the claimed injury is _____, or that the claimant timely reported the claimed injury to her employer.

DECISION

The hearing officer's decision and order are affirmed.

Section 401.011(10) defines "compensable injury." The claimant had the burden to prove that she was injured in the course and scope of her employment. Johnson v. Employers Reinsurance Corporation, 351 S.W.2d 936 (Tex. Civ. App.-Texarkana 1961, no writ). Conflicting evidence was presented at the CCH with regard to the issue of whether the claimant sustained a compensable injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. The hearing officer's decision 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. Without a compensable injury, the claimant would not have disability as defined by Section 401.011(16).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **TEMPLE INDEPENDENT SCHOOL DISTRICT** and the name and address of its registered agent for service of process is

**COMMISSIONER OF INSURANCE
333 GUADALUPE STREET
AUSTIN, TEXAS 78701-3938.**

Robert W. Potts
Appeals Judge

CONCUR:

Robert E. Lang
Appeals Panel
Manager/Judge

Thomas A. Knapp
Appeals Judge