

APPEAL NO. 011897
FILED SEPTEMBER 18, 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 July 26, 2001. The hearing officer resolved the disputed issue by deciding that the appellant's (claimant) compensable injury of _____, does not include the left foot. The claimant appealed and the respondent (carrier) responded.

DECISION

The hearing officer's decision is affirmed.

The claimant testified that she injured her right foot at work on _____, when she stepped on a steel beam and that about 15 minutes later she injured her left foot in the same manner. The carrier accepted an injury to the claimant's right foot. In dispute is whether the claimant also injured her left foot at work. The first mention in the medical records of a problem with the left foot appears to be on July 31, 2000. Conflicting medical opinions were presented with regard to the disputed issue. 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. The hearing officer's decision that the claimant's compensable injury does not include the left foot 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.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **HARTFORD INSURANCE COMPANY OF THE MIDWEST** and the name and address of its registered agent for service of process is

**BARBARA SASHE
9020 N. CAPITOL OF TEXAS HIGHWAY, BUILDING 2, NO. 555
AUSTIN, TEXAS 78759-7235.**

Robert W. Potts
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Susan M. Kelley
Appeals Judge