

APPEAL NO. 011910
FILED SEPTEMBER 24, 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 July 23, 2001. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____, and that she had disability resulting from the compensable injury from _____, through the date of the CCH, July 23, 2001. The appellant (carrier) submitted a request for review, alleging that the evidence is insufficient to support the hearing officer's determinations. The claimant responded, urging affirmance.

DECISION

Affirmed, as reformed.

Both the claimant and the carrier point out that all of the documentary evidence and testimonial evidence at the CCH established that the incident leading to this claim occurred on _____. We agree. It is apparent that the hearing officer has made an administrative error in setting forth the dates, and we reform the decision to reflect that the claimant sustained a compensable injury on _____, and that she had disability due to the compensable injury from February 5, 2001, through July 23, 2001.

The hearing officer did not err in determining that the claimant sustained a compensable injury and that she had disability. The hearing officer could determine that there was sufficient evidence that an incident occurred on _____; that the claimant immediately reported it to supervisory personnel; and that she sought treatment and has continued to undergo treatment for injuries sustained in that incident. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). There was conflicting evidence on the issues of injury and disability. The hearing officer resolved the conflicts and inconsistencies in the evidence in favor of the claimant, and he was acting within his role as the fact finder in determining that the claimant sustained her burden of proof on both issues. Nothing in our review of the record indicates that the challenged determinations are so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to disturb those determinations on appeal. Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the decision and order of the hearing officer, as reformed.

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

**CORPORATION SERVICES COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Michael B. McShane
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge