

APPEAL NO. 011937
FILED SEPTEMBER 21, 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 25, 2001. With respect to the single issue before her, the hearing officer determined that the appellant (claimant) did not have disability, as a result of his _____, compensable injury, from December 10, 2000, to April 4, 2001. In his appeal, the claimant essentially argues that the hearing officer's disability determination is against the great weight of the evidence. In its response to the claimant's appeal, the respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant did not have disability for the period at issue. The issue of whether the claimant had disability presented a question of fact for the hearing officer. 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 disability issue. The hearing officer resolved the conflicts and inconsistencies in the evidence against the claimant, and she was acting within her role as fact finder in determining that the claimant did not sustain his burden of proving that he had disability as a result of his compensable injury for the period claimed. Nothing in our review of the record indicates that the determination that the claimant did not have disability from December 10, 2000, to April 4, 2001, is 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 that determination 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).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **RELIANCE NATIONAL INDEMNITY COMPANY** and the name and address of its registered agent for service of process is:

**TIMOTHY S. McGUIRE
633 NORTH STATE HIGHWAY 161, SUITE 200
IRVING, TEXAS 75038.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Thomas A. Knapp
Appeals Judge