

APPEAL NO. 011985
FILED OCTOBER 15, 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 20, 2001. The hearing officer determined that the respondent's (claimant herein) compensable injury of _____, includes depression, anxiety attacks, panic attacks, and degenerative changes and facet disease to the claimant's back and right knee. The appellant (carrier herein) files a request for review challenging the hearing officer's decision on sufficiency grounds. There is no response to the carrier's request for review from the claimant in the appeal file.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, includes depression, anxiety attacks, panic attacks and degenerative changes and facet disease to the claimant's back and right knee. We have held that the question of the extent of an injury is a question of fact for the hearing officer. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. There was conflicting evidence presented with regard to this issue. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the conflicting medical evidence, we cannot conclude that the hearing officer's determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the carrier is **TRANSPORTATION INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION
1021 MAIN STREET, STE. 1150
HOUSTON, TEXAS 77010.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge