

APPEAL NO. 012188  
FILED NOVEMBER 7, 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 August 21, 2001. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) sustained a compensable injury on \_\_\_\_\_; that the claimant gave timely notice of her injury to her employer; and that the claimant has not had disability. The appellant (carrier) appealed the hearing officer's determinations on the injury and notice issues. No response was received from the claimant. There is no appeal of the hearing officer's decision on the disability issue.

DECISION

The hearing officer's decision is affirmed.

The hearing officer did not err in determining that the claimant sustained a compensable injury on \_\_\_\_\_, and that she timely notified her employer of her injury. Section 401.011(10) defines "compensable injury," and the 30-day notification provision is in Section 409.001(a). The claimant testified that she felt pain in her left arm on \_\_\_\_\_, while lifting and carrying boxes of files at work and that she reported her injury to her manager on that day. The claimant's manager testified that she was not informed that the claimant was claiming a work-related injury until May 2001. The claimant's treating doctor opined that the claimant sustained an injury to her left arm on \_\_\_\_\_, as a direct result of lifting the boxes of files. There is conflicting evidence in this case. 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 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. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **AMERICAN PROTECTION INSURANCE COMPANY** and the name and address of its registered agent for service of process is as follows:

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

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Robert W. Potts  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Susan M. Kelley  
Appeals Judge