

APPEAL NO. 012432  
FILED NOVEMBER 29, 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 September 18, 2001. The hearing officer determined that the respondent (claimant) did sustain a compensable injury on \_\_\_\_\_. The appellant (carrier) appeals, contending that the hearing officer's determinations are against the great weight and preponderance of the evidence. There is no response from the claimant contained in our file.

DECISION

Affirmed.

The claimant testified that he injured his back while at work on \_\_\_\_\_. The carrier contended that the claimant filed a spite claim, and the claimant's supervisor testified that he counseled the claimant concerning his job performance on April 11, 2001. A "stop action" videotape was cited by the hearing officer, who interpreted it as consistent with the claimant's testimony. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). 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. In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951). We cannot conclude that the hearing officer erred as a matter of law in determining in favor of the claimant on his claim. See Texas Workers' Compensation Commission Appeal No. 92713, decided February 8, 1993, and Texas Workers' Compensation Commission Appeal No. 941018, decided September 12, 1994.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **LIBERTY MUTUAL INSURANCE CORPORATION** and the name and address of its registered agent for service of process is as follows:

**CT CORPORATION SYSTEMS  
350 N. ST. PAUL, SUITE 2900  
DALLAS, TEXAS 75202.**

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Michael B. McShane  
Appeals Judge