

APPEAL NO. 012647
FILED DECEMBER 6, 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 October 2, 2001. The hearing officer resolved the disputed issues by concluding that appellant (claimant) did not sustain a repetitive trauma injury; that he did not have disability; that the date of the alleged injury was _____; that respondents, Travelers Indemnity Insurance Company of Connecticut. (carrier 1) and Lumbermens Mutual Casualty Insurance Company. (carrier 2) were not relieved of liability for claimant's failure to file a claim; and that carrier 1 is not limited to the defense stated in its Payment of Compensation or Notice of Refused/Disputed Claim (TWCC-21) filed on August 2, 2001. The hearing officer found that both carriers provided workers' compensation insurance on the date of injury. Claimant appealed, contending that the hearing officer erred in concluding that claimant did not sustain a compensable injury in the form of a repetitive trauma injury with resulting disability. Both carrier 1 and carrier 2 argued in their response that the appealed determinations of the hearing officer regarding compensability and disability are supported by sufficient evidence.

DECISION

We affirm.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. The hearing officer reviewed the evidence and determined that claimant failed to establish that he engaged in activities at work that were repetitive and traumatic. We conclude that the hearing officer's determinations are not 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).

We affirm the hearing officer's decision and order.

According to information provided by carrier 1, the true corporate name of insurance carrier 1 is **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

**CT CORPORATION
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

According to information provided by carrier 2, the true corporate name of insurance carrier 2 is **LUMBERMENS MUTUAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701
ATTN: WAYNE GILL.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Robert W. Potts
Appeals Judge