

APPEAL NO. 013175
FILED FEBRUARY 1, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on December 3, 2001. The hearing officer determined that (1) the compensable injury sustained on _____, extended to include an injury to the lumbar spine; and (2) the appellant/cross-respondent (claimant) did not have disability from May 4, 2001, through May 21, 2001, but did have disability from May 22, 2001, through the date of the CCH. The claimant appealed the disability determination with regard to the period of May 4, 2001, through May 21, 2001, on sufficiency grounds. The respondent/cross-appellant (carrier) cross-appeals the extent-of-injury determination and the disability determination with regard to the period of May 22, 2001, through the date of the CCH, on sufficiency grounds.

DECISION

Affirmed.

The complained-of determinations involved questions of fact for the hearing officer to resolve. 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 evidence presented, we cannot conclude that the hearing officer's determinations are 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 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Edward Vilano
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Robert W. Potts
Appeals Judge