

APPEAL NO. 020005
FILED FEBRUARY 5, 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 was held on December 4, 2001. The hearing officer determined that the compensable injury sustained on _____, does extend to and include an injury to the left shoulder; that the compensable injury sustained on _____, does not extend to and include vertigo, dizziness, a closed head injury, an injury to the left wrist, cervical and thoracic spine; and that the appellant (claimant) did have disability beginning _____, and continuing through August 10, 2001, but not thereafter. The claimant appeals the decision; the respondent (carrier) seeks affirmance.

DECISION

Affirmed.

The hearing officer has comprehensively summarized the facts and we incorporate her decision by reference. The hearing officer did not err in determining that the claimant's compensable injury sustained on _____, does not extend to and include vertigo, dizziness, a closed head injury, an injury to the left wrist, and cervical and thoracic spine, but extends only to the left shoulder. Extent of injury is a question of fact. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. It is the hearing officer, as the sole judge of the weight and credibility of the evidence (Section 410.165(a)), who resolves the conflicts and inconsistencies in the evidence (Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ)), and determines what facts have been established from the conflicting evidence. St. Paul Fire & Marine Insurance Company v. Escalera, 385 S.W.2d 477 (Tex. Civ. App.-San Antonio 1964, writ ref'd n.r.e.). The Appeals Panel will not disturb the challenged factual findings of a hearing officer, even if different inferences could be drawn from the evidence, unless they are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust and we do not find them so in this case. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951). The hearing officer's decision is likewise supported on the period of disability. We affirm the decision and order.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

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

Susan M. Kelley
Appeals Judge

CONCUR:

Michael B. McShane
Appeals Judge

Terri Kay Oliver
Appeals Judge