

APPEAL NO. 020036
FILED FEBRUARY 12, 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 (1) the compensable injury of _____, does not include or extend to injuries to the cervical and/or thoracic spine; and (2) the appellant/cross-respondent (claimant) had disability from the compensable injury of _____, from May 2, 2001, through the date of the hearing. The claimant appeals the extent-of-injury determination on sufficiency grounds. The respondent/cross-appellant (carrier) cross-appeals the disability determination on sufficiency grounds. The carrier responded to the claimant's appeal and urges affirmance of the extent-of-injury determination. The claimant did not respond to the carrier's cross-appeal.

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 **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

**C.T. CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Edward Vilano
Appeals Judge

CONCUR:

Michael B. McShane
Appeals Judge

Robert W. Potts
Appeals Judge