

APPEAL NO. 020048
FILED FEBRUARY 25, 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 19, 2001. The hearing officer determined that the appellant/cross-respondent (claimant) is not entitled to supplemental income benefits for the 11th quarter and that his compensable injury extends to and includes post-spinal tap headaches and/or dizziness but does not include dysthymic disorder or major depressive disorder. On appeal, the claimant expresses disagreement with the determinations that are not in his favor. The respondent/cross-appellant (carrier) conditionally cross-appeals the determination that the compensable injury extends to and includes post-spinal tap headaches and/or dizziness.

DECISION

Affirmed.

The matters complained of by the claimant and the carrier concern credibility and fact issues, which were for the hearing officer to resolve. Section 410.165(a) provides that the contested case hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as of the weight and credibility that is to be given the evidence. We have reviewed the complained-of determinations and we conclude that they 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).

The decision and order of the hearing 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.**

Chris Cowan
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Michael B. McShane
Appeals Judge