

APPEAL NO. 020102
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 (CCH) was held on December 20, 2001. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) sustained a compensable injury on or about _____; that the compensable injury does not extend to and include a cervical injury; and that the claimant has not had disability. The claimant timely appealed the hearing officer's determinations that his compensable injury does not extend to and include a cervical injury and that he has not had disability. The respondent (carrier) responded. There is no appeal of the hearing officer's decision that the claimant sustained a compensable injury on or about _____.

DECISION

The hearing officer's decision and order are affirmed.

Conflicting evidence was presented at the CCH on the disputed issues of whether the claimant's injury extends to and includes a cervical injury and whether the claimant had disability as defined by Section 401.011(16). The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. The hearing officer's determinations that the compensable injury does not extend to and include a cervical injury and that the claimant has not had disability are supported by sufficient evidence and are not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **SERVICE LLOYDS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**JOSEPH KELLEY-GRAY
6907 CAPITOL OF TEXAS HWY, NORTH
AUSTIN, TEXAS 78755.**

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Terri Kay Oliver
Appeals Judge