

APPEAL NO. 020185
FILED FEBRUARY 28, 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 6, 2001. The hearing officer resolved the issues before her by determining that the appellant (claimant) did not sustain a compensable injury, in the form of an occupational disease, on _____, and that he did not have disability. The claimant appealed the hearing officer's determinations on sufficiency grounds. The respondent (carrier) responded, urging affirmance.

DECISION

We affirm.

The claimant testified that his job involved the repetitive lifting of boxes in a cold environment, and that as a result of his work related activities, he sustained a compensable occupational disease injury to his right upper extremity. The claimant presented medical evidence to support his position that on _____, he sustained a repetitive trauma injury and that he had disability. The carrier presented medical evidence to support its position that the claimant did not sustain a repetitive trauma injury and that therefore, he did not have disability.

In a case such as the one before us where both parties presented evidence on the disputed issues, the hearing officer must look at all of the relevant evidence to make factual determinations and the Appeals Panel must consider all of the relevant evidence to determine whether the factual determinations of the hearing officer are so against the great weight and preponderance of the evidence as to be clearly wrong or unjust. Texas Workers' Compensation Commission Appeal No. 941291, decided November 8, 1994. We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations 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).

We affirm the hearing officer's decision and order.

According to information provided by the carrier, the true corporate name of the insurance carrier is **SENTRY INSURANCE, A MUTUAL COMPANY** and the name and address of its registered agent for service of process is

**GAIL L. ESTES
1525 NORTH INTERSTATE 35E, SUITE 220
CARROLLTON, TEXAS 75006.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Terri Kay Oliver
Appeals Judge