

APPEAL NO. 020239  
FILED MARCH 14, 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 January 8, 2001. The hearing officer determined that the appellant (claimant) had not sustained a compensable (right knee) injury on \_\_\_\_\_, and that the claimant did not have any disability.

The claimant appealed, contending that he had sustained a compensable right knee injury and there was "no other cause for his current condition." The file does not contain a response from the respondent (carrier).

DECISION

Affirmed.

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. The hearing officer's Statement of the Evidence contains a very thorough and detailed summary of the evidence. The hearing officer clearly believed that while the claimant slipped and almost fell while working for the employer on \_\_\_\_\_, that incident did not cause an injury as defined in Section 401.011(26). Although some medical reports indicate that the claimant may have an internal derangement of the right knee, an MRI shows a degenerative condition "most likely on the basis of an old trauma" and at least one report indicates confusion between the left knee, which had sustained a nonwork-related injury and surgery in 1983/1984, with the claimed right knee injury. In any event, it was the responsibility of the hearing officer, as the trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). The hearing officer did so, and her decision is supported by sufficient evidence. 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).

Because we are affirming the hearing officer's decision that the claimant did not have a compensable injury, the claimant cannot by definition in Section 401.011(16) have disability.

The hearing officer's decision and order are affirmed.

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 STREET  
DALLAS, TEXAS 75201.**

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Elaine M. Chaney  
Appeals Judge

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Edward Vilano  
Appeals Judge