

APPEAL NO. 020277
FILED MARCH 18, 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 10, 2002. The hearing officer resolved the disputed issues before her by determining that the respondent (claimant) sustained a compensable repetitive trauma injury on _____, and that she had disability from June 11, 2001, through November 5, 2001. The appellant (self-insured) appealed on sufficiency grounds. The claimant responded, urging affirmance.

DECISION

We affirm.

The claimant testified that she sustained a compensable injury on _____; that her job was fast paced and repetitive in nature and required her to answer phones, do data entry, make handwritten notes, and use a calculator and typewriter 7 to 8 hours per day. The claimant testified she had been performing this work since 1982. The claimant submitted medical testimony and evidence to support her claim that she sustained a compensable repetitive trauma injury. The self-insured offered testimony to show that the claimant mischaracterized the amount of data entry she actually did, and submitted medical evidence to show that the claimant did not sustain the claimed repetitive trauma injury.

The evidence presented on the issues of injury and disability was conflicting and subject to different interpretations. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The hearing officer resolved the conflicts and inconsistencies in the evidence in favor of the claimant and she was acting within her role as the fact finder in determining that the claimant sustained her burden on both issues. The Appeals Panel will not disturb the challenged factual findings of a hearing officer unless they are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust and we do not find them so in this case. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951). Although another fact finder could have reached a different conclusion on the same evidence, that alone is not a basis on which to disturb the hearing officer's decision. Salazar, et al. v. Hill, 551 S.W.2d 518 (Tex. Civ. App.-Corpus Christi 1977, writ ref'd n.r.e.).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**SA
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Gary L. Kilgore
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Philip F. O'Neill
Appeals Judge