

APPEAL NO. 020322
FILED APRIL 1, 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 28, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) did not sustain a compensable injury and that, consequently, she did not have disability. The claimant appealed the hearing officer's determinations on sufficiency grounds. In its response, the respondent (carrier) urged affirmance on all points.

DECISION

Affirmed.

The hearing officer did not err in deciding that the claimant did not sustain a compensable injury and that, consequently, she did not have disability. While the claimant testified that she had injured her left wrist in attempting to subdue one of her mentally challenged clients at work, two coworkers testified that the claimant had, in fact, been injured by her boyfriend in an altercation. The hearing officer found the coworkers' testimony more credible. In addition, while she found that the claimant was unable to obtain and retain employment at her preinjury wage for a time as a direct result of her injury, the hearing officer concluded that since the claimant's injury was not compensable, she had no disability. Because we affirm the hearing officer's determination regarding compensability, we also affirm her finding that the claimant had no disability. The parties presented conflicting evidence regarding each issue. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). We conclude that the hearing officer's decision is supported by sufficient evidence and that it is 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 carrier is **TEXAS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**MR. RUSSELL R. OLIVER, PRESIDENT
TEXAS MUTUAL INSURANCE COMPANY
221 WEST 6TH STREET
AUSTIN, TEXAS 78701.**

Terri Kay Oliver
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Philip F. O'Neill
Appeals Judge