

APPEAL NO. 020433
FILED MARCH 26, 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 13, 2001, but reset to February 5, 2002. The hearing officer resolved the disputed issues by determining that the appellant (claimant) did not sustain a compensable injury on _____; that the injury sustained on _____, does not extend to and include a left wrist sprain and/or an aggravation of a preexisting injury, which included a 7-centimeter laceration of the ulnar/median nerve; and that because the claimant did not sustain a compensable injury, she did not have disability. The claimant appealed on sufficiency grounds. The respondent (carrier) responded, urging affirmance.

DECISION

We affirm.

The hearing officer did not err in determining that the claimant did not sustain a compensable injury on _____. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). Conflicting evidence was presented on the issue of whether or not the claimant sustained a compensable injury. The claimant testified that she injured her left wrist while lifting a large pair of pants and submitted medical records which supported her position that the injury was work-related. The carrier submitted a medical opinion that the claimant's current wrist condition was not caused by her work activities. The hearing officer resolved the conflicts and inconsistencies in the evidence against the claimant and she was acting within her role as fact finder in determining that the claimant did not meet her burden of proof. The hearing officer's decision is supported by sufficient evidence and it is 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); Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986).

A finding of the existence of a compensable injury is a prerequisite to a finding of extent of injury and disability. Because we have affirmed the hearing officer's determination that there was no compensable injury, so must we also affirm her determination that the claimed injury does not extend to or include a compensable left wrist sprain and/or an aggravation of a preexisting injury, which included a 7-centimeter laceration of the ulnar/median nerve, and that the claimant did not have disability.

The hearing officer's decision and order are affirmed.

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

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Edward Vilano
Appeals Judge