

APPEAL NO. 020443
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 (CCH) was held on January 24, 2002. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) sustained a repetitive trauma injury, that the claimant timely reported her injury to her employer, and that the date of injury pursuant to Section 408.007, was _____. The appellant (carrier) appealed the hearing officer's decision that the claimant sustained a repetitive trauma injury and that the claimant timely reported her injury to her employer. The claimant responded. There is no appeal of the determination on the date of injury.

DECISION

The hearing officer's decision is affirmed.

The claimant had the burden to prove that she sustained a repetitive trauma injury as defined by Section 401.011(36) and that she timely notified her employer of her injury under Section 409.001. Conflicting evidence was presented at the CCH on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. We conclude that the hearing officer's determinations on the disputed issues are supported by sufficient evidence and are 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 insurance carrier is **THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750
COMMODORE 1
AUSTIN, TEXAS 78701.**

Robert W. Potts
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Terri Kay Oliver
Appeals Judge