

APPEAL NO. 020605  
FILED APRIL 17, 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 February 12, 2002. The hearing officer determined that the respondent's (claimant) compensable left knee injury included an injury to the low back (lumbar spine).

The appellant (carrier) appeals on sufficiency of the evidence, reiterating evidence presented at the CCH. The claimant responds, urging affirmance.

DECISION

Affirmed.

The claimant testified that on \_\_\_\_\_, he slipped and injured his left knee and low back at work. The carrier accepted a compensable knee injury. Most of the other evidence, such as whether the claimant actually fell on his buttocks or not, whether the claimant was carrying two or four tires, who may or may not have been present, who said what to whom and when, and the medical evidence, is in conflict.

The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)), resolves the conflicts and inconsistencies in the evidence (Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ)), and determines what facts have been established from the conflicting evidence. St. Paul Fire & Marine Insurance Company v. Escalera, 385 S.W.2d 477 (Tex. Civ. App.-San Antonio 1964, writ ref'd n.r.e.). The hearing officer resolved the conflicts in the claimant's favor and that decision 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).

Accordingly, the hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **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 I  
AUSTIN, TEXAS 78701.**

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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