

APPEAL NO. 020788
FILED MAY 2, 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 March 14, 2002. With respect to the issues before her, the hearing officer determined that the appellant's (claimant) compensable injury of _____, does not extend to or include a disc protrusion at L5-S1, spinal stenosis at L4-5 and L5-S1, cervical and thoracic sprain/strain and/or right carpal tunnel syndrome, and that the claimant does not have disability. In her appeal, the claimant essentially argues that the hearing officer's extent-of-injury and disability determinations are against the great weight of the evidence. In its response to the claimant's appeal, the respondent (carrier) urges affirmance.

DECISION

Affirmed.

The parties stipulated that the claimant sustained a compensable lumbar sprain/strain injury on _____. The issues of whether the claimant's compensable injury extended to or included a disc protrusion at L5-S1, spinal stenosis at L4-5 and L5-S1, cervical and thoracic sprain/strain and/or right carpal tunnel syndrome, and whether the claimant had disability are questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the relevance and materiality of the evidence and of its weight and credibility. Section 410.165(a). The hearing officer resolves conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). When reviewing a hearing officer's factual determinations, we will reverse such determinations only if they are so contrary to the overwhelming weight 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 Co., 715 S.W.2d 629, 635 (Tex. 1986). Applying this standard, we find no grounds to reverse the hearing officer's extent-of-injury and disability determinations on appeal.

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.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Michael B. McShane
Appeals Judge

Roy L. Warren
Appeals Judge