

APPEAL NO. 020871
FILED MAY 30, 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. The hearing officer resolved the issues before him by determining that the respondent (claimant) sustained a compensable injury on _____, and that she had resultant disability from _____, through March 14, 2002. The appellant (carrier) appealed both determinations on sufficiency grounds. The claimant did not file a response.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant sustained a compensable injury when she was involved in a motor vehicle accident (MVA) in the course and scope of her employment on _____. The claimant testified that she had been injured in the MVA, and the medical records supported her testimony.

As we affirm the compensable injury determination, we likewise affirm the hearing officer's determination that the claimant had disability from _____, through March 14, 2002. The claimant testified that as a result of her compensable injury of _____, she was unable to obtain and retain employment at her preinjury wage. Section 401.011(16). In addition, the medical records in evidence support the claimant's testimony regarding her disability, vis-a-vis work restrictions therein.

The hearing officer is the sole judge of the weight and credibility to be given to the evidence. Section 410.165(a). While the carrier introduced conflicting evidence on the issues, upon our review of the record, we conclude that the hearing officer's determinations are supported by the evidence and that they are 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); Texas Workers' Compensation Commission Appeal No. 001360, decided July 27, 2000.

Finally, we find no merit in the carrier's argument that the hearing officer erred in failing to find the extent of the claimant's injury. The issue of the extent of the claimant's injury was not before the hearing officer.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **NORTH AMERICAN SPECIALTY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Michael B. McShane
Appeals Judge