

APPEAL NO. 021021  
FILED MAY 29, 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 March 18, 2002. The hearing officer determined that the appellant's (claimant) compensable injury does not extend to include herniations at the C5-6 levels of the cervical spine nor degenerative disc disease at multiple levels of the cervical spine, and that the claimant had disability resulting from the \_\_\_\_\_, compensable injury (stipulated as a cervical sprain/strain) from August 31, 2001, continuing to the date of the CCH. The claimant appeals the extent-of-injury determination on evidentiary sufficiency grounds. The respondent (self-insured) urges affirmance of the extent-of-injury determination. The determination as to disability has not been appealed and has become final. Section 410.169.

DECISION

Affirmed.

The question of extent of injury is a question of fact for the hearing officer to resolve. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. Conflicting evidence was presented regarding the extent of the compensable injury. As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The hearing officer's decision that the compensable injury does not include herniations at the C5-6 levels of the cervical spine or degenerative disc disease at multiple levels of the cervical spine is supported by sufficient evidence and is 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, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951).

We affirm the decision and order of the hearing officer.

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

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

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Michael B. McShane  
Appeals Judge

CONCUR:

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Robert W. Potts  
Appeals Judge

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Roy L. Warren  
Appeals Judge