

APPEAL NO. 021676  
FILED AUGUST 16, 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 June 3, 2002. The hearing officer resolved the disputed issues by determining that the respondent (claimant) sustained a compensable repetitive trauma injury; that the date of injury was \_\_\_\_\_; that the claimant timely notified the employer of the injury; and that the appellant (carrier) did not waive its right to contest compensability of the claim. On appeal, the carrier contends that the hearing officer's determinations relating to compensability, date of injury, and timely notice are against the great weight and preponderance of the evidence. The appeal file contains no response from the claimant.

DECISION

We affirm the hearing officer's decision.

The hearing officer's Decision and Order contains a summary of the evidence. The disputed issues in this case involved factual questions for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). The hearing officer found for the claimant on the appealed issues and nothing in our review of the record indicates that his decision is 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). The carrier contends that the date of injury should be sometime in 1999 or 2000 and that the injury was caused by bicycle riding and by digging a trench on \_\_\_\_\_. The hearing officer's determinations that the claimant's work activities were sufficiently repetitive to cause the problems with his hands and wrists, that he knew or should have known that his problems may have been work-related on \_\_\_\_\_, and that he timely reported the injury to his employer are sufficiently supported by the evidence.

The decision and order of the hearing officer are affirmed.

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

**WILLIAM PARNELL  
8144 WALNUT HILL LANE, SUITE 1600  
DALLAS, TEXAS 75231.**

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Philip F. O'Neill  
Appeals Judge

CONCUR:

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Susan M. Kelley  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge