

APPEAL NO. 021746  
FILED AUGUST 13, 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 12, 2002. The hearing officer resolved the disputed issue by determining that the respondent (claimant) is entitled to supplemental income benefits (SIBs) for the fourth compensable quarter. On appeal, the appellant (carrier) contends that the SIBs determination along with the findings that the claimant made a good faith attempt to obtain employment and that her unemployment is a direct result of the compensable injury are against the great weight and preponderance of the evidence. The claimant urges affirmance of the hearing officer's decision.

DECISION

We affirm the hearing officer's decision.

The hearing officer's Decision and Order contain a comprehensive summary of the evidence presented at the hearing. Whether, during the qualifying period corresponding to the fourth compensable quarter, the claimant's unemployment was a direct result of the compensable injury and whether she made a good faith effort to obtain employment commensurate with her ability to work were 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)). In view of the evidence presented, we cannot conclude that the hearing officer's determination that the claimant is entitled to fourth quarter SIBs 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 (Tex. 1986). The hearing officer noted that she found credible the claimant's testimony concerning her job contacts during the qualifying period.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **CONTINENTAL CASUALTY COMPANY** and the name and address of its registered agent for service of process is

**C. T. CORPORATION  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Philip F. O'Neill  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge