

APPEAL NO. 021762  
FILED AUGUST 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 was held on June 3, 2002. The hearing officer determined that the compensable injury of \_\_\_\_\_, does not include an injury to the appellant's (claimant) cervical spine or left shoulder, and that she did not have disability resulting from her compensable left wrist injury of \_\_\_\_\_. The claimant appealed, arguing that the hearing officer's extent-of-injury and disability determinations are against the great weight and preponderance of the evidence. The file does not contain a response from the respondent (self-insured).

DECISION

Affirmed.

The issues of whether the compensable injury included an injury to the claimant's cervical spine and left shoulder and whether the claimant had disability as a result of her compensable injury were questions of fact for the hearing officer. 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 decision, we will reverse such decision only if it is 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 (Tex. 1986); Pool v. Ford Motor Co., 715 S.W.2d 629 (Tex. 1986).

The claimant contends that the hearing officer's extent-of-injury and disability determinations are against the great weight of the evidence. In so arguing, the claimant asserts that her and the medical evidence support her contention that her compensable injury includes an injury to her cervical spine and left shoulder. The hearing officer found that the claimant's testimony "was inconsistent to some extent both within itself and with the medical evidence and was not credible." The hearing officer resolved the conflicts and inconsistencies in the evidence in favor of the self-insured, and he was acting within his province as the fact finder in so doing. Our review of the record does not demonstrate that the challenged determinations are so contrary to the great weight of the evidence as to be clearly wrong or manifestly unjust. Therefore, no sound basis exists for us to reverse those determinations on appeal. Cain, *supra*; Pool, *supra*.

The hearing officer's decision and order are affirmed.

The true corporate name of the self-insured is **(SELF-INSURED)** and the name and address of its registered agent for service of process is

**FF  
(ADDRESS)  
(CITY), TEXAS (ZIP CODE).**

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Daniel R. Barry  
Appeals Judge

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Robert W. Potts  
Appeals Judge