

APPEAL NO. 021802
FILED SEPTEMBER 3, 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 24, 2002. The hearing officer determined that the appellant's (claimant) compensable injury of _____, does not extend to include bilateral carpal tunnel syndrome (BCTS), right ulnar nerve entrapment, an injury to the cervical spine, and/or depression. The claimant appeals the determinations as to the BCTS, right ulnar nerve entrapment, and depression, but does not mention the injury to the cervical spine in her appeal. She asserts that the medical evidence supports the additional conditions as being included in the compensable injury. The respondent (carrier) did not submit a response to the claimant's appeal.

DECISION

Affirmed.

Extent of injury is a factual question for the fact finder to resolve. Conflicting evidence was presented on the extent-of-injury issue, and the evidence supports the hearing officer's factual determinations. The hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given to the evidence. Section 410.165(a). It is for the hearing officer to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). The Appeals Panel will not disturb the challenged factual findings of a hearing officer unless they are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust, and we do not find them to be so in this case. 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 **TEXAS BUILDERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**ROBERT SIDDONS
11612 RM 2244, BUILDING 1, SUITE 200
AUSTIN, TEXAS 78733.**

Michael B. McShane
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Gary L. Kilgore
Appeals Judge