

APPEAL NO. 021919
FILED AUGUST 22, 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 26, 2002. The hearing officer resolved the sole disputed issue by deciding that the appellant's (claimant) compensable injury of _____, did not extend to and include right cubital tunnel syndrome (CuTS). The claimant appealed on sufficiency grounds, and the respondent (carrier) responded, requesting affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury of _____, did not extend to and include right CuTS. While the hearing officer found the claimant credible, she felt that there were too frequent, extended lapses in medical treatment between the date of injury and the date of diagnosis of CuTS in October 2001. The hearing officer decided that the claimant failed to establish a causal connection between her compensable injury and her current diagnosis.

The hearing officer is the sole judge of the weight and the credibility to be given the evidence. Section 410.165(a). The hearing officer resolved the sole disputed issue in the carrier's favor. While the claimant argued a different interpretation of the evidence, we conclude that the hearing officer's determination is supported by the evidence, and that it is not 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); Texas Workers' Compensation Commission Appeal No. 001360, decided July 27, 2000.

The hearing officer's decision and order are affirmed.

The official name of the carrier is **FACILITY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**KATHLEEN THOMPSON, VICE PRESIDENT
2003 EAST LAMAR BLVD., SUITE 100
ARLINGTON, TEXAS 76006.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Robert W. Potts
Appeals Judge