

APPEAL NO. 021957  
FILED SEPTEMBER 9, 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 28, 2002. The hearing officer resolved the disputed issue by deciding that the compensable injury extends to the respondent's (claimant) diagnosis of right carpal tunnel syndrome (CTS) and right ulnar nerve entrapment/compression. The appellant (carrier) appeals, arguing that the medical evidence failed to establish, based on a standard of reasonable medical probability, that her current medical complaints are due to the compensable injury. In her response, the claimant maintains that the evidence is sufficient to support the determination of the hearing officer but argues that the appeal is untimely.

DECISION

Affirmed.

Initially, we address the claimant's assertion that the carrier's appeal is untimely. Our review of the record reveals that the hearing officer's decision and order was distributed to the parties on July 10, 2002. Effective June 17, 2001, Section 410.202 was amended to exclude Saturdays, Sundays, and holidays listed in Section 662.003 of the Texas Government Code in the computation of the 15-day appeal period. The carrier acknowledged receipt of the decision and order on July 11, 2002. The carrier had until August 1, 2002, to file its appeal. The Texas Worker's Compensation Commission received the carrier's appeal on July 31, 2002, therefore, the carrier's appeal is timely filed.

The issue before the hearing officer regarded the extent of the compensable injury and conflicting evidence was presented regarding this issue. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. We have held that the question of extent of injury is a question of fact for the hearing officer. Texas Workers' Compensation Commission Appeal No. 93613, decided August 24, 1993. Dr. D opined that, based on reasonable medical probability, and based on the claimant's symptoms at the time of her emergency room visit, the claimant's right CTS and right ulnar nerve entrapment/compression were caused by the claimant's compensable injury. The hearing officer's decision is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. 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 **NORTH AMERICAN SPECIALTY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

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

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Margaret L. Turner  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Philip F. O'Neill  
Appeals Judge