

APPEAL NO. 022197
FILED SEPTEMBER 23, 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 (CCH) was held on July 31, 2002. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) sustained a compensable injury on _____, but that the claimant did not have disability from April 5, 2002, through April 15, 2002, or from May 13, 2002, through the date of the CCH. The claimant appealed and the respondent (self-insured) responded.

DECISION

Affirmed.

The hearing officer found that the claimant did sustain a compensable injury on _____. The carrier does not appeal this finding. The claimant purports to appeal it, but since this finding is favorable to the claimant, the claimant is not aggrieved by this finding and has no basis to appeal it.

The claimant had the burden to prove that he had disability as defined by Section 401.011(16). Conflicting evidence was presented at the CCH on the disputed 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. We conclude that the hearing officer's decision is supported by sufficient evidence and that it 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 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Margaret L. Turner
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Michael B. McShane
Appeals Judge