

APPEAL NO. 022419
FILED OCTOBER 31, 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 August 20, 2002. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____; that the claimant gave timely notice of the injury to his employer; that the respondent (carrier) did not waive the right to contest the compensability of the claimed injury; that the claimant had disability from December 14, 2001, through the date of the hearing; and that the claimant's average weekly wage is \$331.10. On appeal, the carrier contends that the evidence does not support the compensability, disability, and timely notice determinations. The claimant urges affirmance.

DECISION

We affirm.

The complained-of determinations involved fact question for the hearing officer. The hearing officer reviewed the record and decided what facts were established. It was the hearing officer's prerogative to believe all, part, or none of the testimony of any witness, including that of the claimant. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). We conclude that the hearing officer's compensability, disability, and timely notice determinations are 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).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**ROBERT PARNELL
8144 WALNUT HILL LANE, SUITE 1600
DALLAS, TEXAS 75231-4813.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Susan M. Kelley
Appeals Judge

Margaret L. Turner
Appeals Judge