

APPEAL NO. 022496
FILED NOVEMBER 20, 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 28, 2002. The hearing officer determined that the appellant (claimant) sustained a compensable neck sprain injury on _____, and that she had disability from December 13, 2001, to January 17, 2002. The claimant appeals the hearing officer's determination, asserting that the injury is not limited to the neck and that her disability continued through February 25, 2002. No response was received from the respondent (carrier).

DECISION

Affirmed.

The hearing officer did not err in reaching the complained-of determinations. The determinations presented questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). In view of the evidence presented, we cannot conclude that the hearing officer's injury and disability determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Thus, no sound basis exists for us to disturb those determinations on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The claimant contends that the hearing officer's determination that she sustained a neck sprain is essentially an extent-of-injury determination and that the issue was not properly before the hearing officer. The claimant requests that the decision be reformed to state only that the claimant sustained a compensable injury without addressing which of the claimed injuries are included in the injury. The claimant claimed multiple injuries resulting from the work-related incident of _____. Whether the claimant sustained any of the claimed injuries was in dispute and conflicting evidence was presented in this regard. Under these circumstances, we cannot say that the hearing officer erred in delineating the nature of the compensable injury.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **ARGONAUT SOUTHWEST INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**JOSEPH A. YURKOVICH
1431 GREENWAY DRIVE, SUITE 450
IRVING, TEXAS 75038.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Veronica Lopez
Appeals Judge