

APPEAL NO. 022684
FILED DECEMBER 3, 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 September 25, 2002. The hearing officer determined that (1) the compensable injury of _____, extends to and includes a bulge in the annulus of the disc and bilateral facet joint arthrosis affecting the ligament and a foramen at the L4-5 intervertebral level of his spine, and degenerative disc disease and bilateral facet joint arthrosis affecting a foramen at the L5-S1 intervertebral level of his spine; and (2) the respondent (claimant) had disability from May 7, 2002, through the date of the hearing. The appellant (carrier) appeals the determinations on sufficiency grounds. The claimant urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in reaching the complained-of determinations. The determinations involved 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)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence including the medical evidence (Texas Employers Insurance Association 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 determinations are 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).

The decision and order of the hearing officer are affirmed.

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

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

Edward Vilano
Appeals Judge

CONCUR:

Robert W. Potts
Appeals Judge

Margaret L. Turner
Appeals Judge