

APPEAL NO. 022815
FILED DECEMBER 19, 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 24, 2002. The hearing officer determined that the appellant's (claimant) compensable injury of _____, does not extend to include chondromalacia of the knees bilaterally, left shoulder impingement syndrome, spurs and bursitis, or cervical disc herniation; and that the claimant had disability resulting from the compensable injury of _____, from July 6 through November 20, 2000. The claimant appealed the extent-of-injury determination on sufficiency of the evidence grounds, and the respondent (carrier) responded urging affirmance. The hearing officer's disability determination has not been appealed and has become final. Section 410.169.

DECISION

Affirmed.

Extent of injury is a factual question for the fact finder to resolve. The hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given to the evidence. Section 410.165(a). It is for the hearing officer to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). This is equally true of medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286, 290 (Tex. App.-Houston [14th Dist.] 1984, no writ). The evidence supports the hearing officer's factual determination. The Appeals Panel will not disturb the challenged factual finding of a hearing officer unless it is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust, and we do not find it to be so in this case. 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 **UNIVERSAL UNDERWRITERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**RON JOHNSON
101 EAST PARK BOULEVARD, SUITE 200
PLANO, TEXAS 75074.**

Veronica Lopez
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Michael B. McShane
Appeals Panel
Manager/Judge