

APPEAL NO. 023003  
FILED JANUARY 8, 2003

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 October 22, 2002. The hearing officer determined that the appellant (claimant) did not sustain a compensable injury on \_\_\_\_\_; that she did not have disability; and that the respondent (carrier) specifically contested compensability of the claimed injury on the form it filed with the Texas Workers' Compensation Commission on June 18, 2002. The claimant contends that the evidence does not support the compensability determination, but does not appeal the other determinations made by the hearing officer. The carrier urges affirmance of the hearing officer's decision and order.

DECISION

Affirmed.

Whether the claimant sustained a compensable injury was a factual question for the hearing officer to resolve. Section 410.165(a) provides that the contested case hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as of the weight and credibility that is to be given the evidence. 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). Nothing in our review of the record indicates that the hearing officer's compensability determination is 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).

The hearing officer's decision and order is affirmed.

The true corporate name of the insurance carrier is **LUMBERMEN'S UNDERWRITING ALLIANCE** and the name and address of its registered agent for service of process is

**DANIEL J. O'BRIEN  
12200 FORD ROAD, SUITE 344  
DALLAS, TEXAS 75234-7625.**

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Chris Cowan  
Appeals Judge

CONCUR:

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Edward Vilano  
Appeals Judge

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Roy L. Warren  
Appeals Judge