

APPEAL NO. 023004
FILED JANUARY 14, 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 November 5, 2002. The hearing officer determined that the respondent (claimant) sustained a thoracic and lumbar back strain and gave timely notice of injury to his employer, but that he did not sustain disability as a result of his injury.

The appellant (self-insured) has appealed the determinations that the claimant sustained a back strain and gave timely notice thereof. There is no appeal or response from the claimant.

DECISION

We affirm.

There was conflicting evidence presented on the issues appealed. The Appeals Panel will not reweigh the evidence presented to the hearing officer even if different inferences could be drawn from the evidence. National Union Fire Insurance Company of Pittsburgh, Pennsylvania v. Soto, 819 S.W.2d 619, 620 (Tex. App.-El Paso 1991, writ denied); American Motorists Insurance Co. v. Volentine, 867 S.W.2d 170 (Tex. App.-Beaumont 1993, no writ). It has been held that strains, sprains, wrenches, and twists that arise out of employment, even where an employee is predisposed to such injury, are compensable. Hanover Insurance Company v. Johnson, 397 S.W.2d 904 (Tex. Civ. App.-Waco 1965, writ ref'd n.r.e.). In considering all the evidence in the record, we cannot agree that the findings of the hearing officer are so against the great weight and preponderance of the evidence as to be manifestly wrong and unjust. In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951). We therefore affirm the decision and order.

The true corporate name of the insurance carrier is **(a certified self-insured)** 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.**

Susan M. Kelley
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Edward Vilano
Appeals Judge