

APPEAL NO. 023013  
FILED JANUARY 16, 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 (CCH) was held on November 4, 2002. The hearing officer determined that the respondent (claimant) had disability from his \_\_\_\_\_, injury for disputed periods beginning on May 9, 2002, and continuing through the date of the CCH.

The appellant (carrier) has appealed and argues that the medical evidence shows that the claimant was capable of working after May 9, 2002. Much of this argument is based upon an employer's purported offer of light-duty work and the contention that it has been the claimant that "disabled himself." There is no response from the claimant.

DECISION

We affirm.

There was no reported issue as to whether the claimant's post-injury earnings should be adjusted for wages offered in accordance with a bona fide offer of employment. Therefore, the hearing officer was faced only with the general contention that since the employer had a willingness to offer a light-duty position, a claim that the injury caused disability was defeated. In this case, the claimant actually performed the job for three days but stated that he could not continue in part due to his postoperative carpal tunnel syndrome. Medical evidence on his hand condition was conflicting.

A claimant's testimony alone is sufficient to establish that an injury has caused disability. Gee v. Liberty Mutual Fire Insurance Company, 765 S.W.2d 394 (Tex. 1989). In this case, the hearing officer weighed the evidence perhaps differently from how the carrier would have it weighed, but this does not amount to reversible error. There is sufficient evidence to support the conclusions drawn by the hearing officer, which are not so against the great weight and preponderance of the evidence so as to be manifestly unfair or unjust. Atlantic Mutual Insurance Company v. Middleman, 661 S.W.2d 182 (Tex. App.-San Antonio 1983, writ ref'd n.r.e.). We accordingly affirm the decision and order.

The true corporate name of the insurance carrier is **ST. PAUL FIRE & MARINE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Roy L. Warren  
Appeals Judge