

APPEAL NO. 023152  
FILED FEBRUARY 20, 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 December 4, 2002. With respect to the sole disputed issue before him, the hearing officer determined that as a result of his compensable injury to his right hand/wrist, the appellant (claimant) had disability on August 15 and 16, 2002, and from September 4 through September 30, 2002. The claimant appeals the determination on sufficiency of the evidence grounds. There is no response in the file from the respondent (carrier).

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant had disability as a result of his \_\_\_\_\_, compensable injury on August 15 and 16, 2002, and from September 4 through September 30, 2002. Under the 1989 Act, the hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The medical records support the hearing officer's determination in this regard. The hearing officer determined that the claimant did not prove disability from August 17 through September 3, 2002, or from October 1, 2002, until the date of the CCH, as the claimant was able to obtain and retain employment at his preinjury wage. Section 401.011(16). The hearing officer was acting within his province as the fact finder in resolving the conflicting evidence against the claimant and nothing in our review of the record demonstrates that the hearing officer's determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Pool v. Ford Motor Co., 715 S.W.2d 629, 635 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order is affirmed.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS, SUITE 750  
AUSTIN, TEXAS 78701.**

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Terri Kay Oliver  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge