

APPEAL NO. 023223  
FILED FEBRUARY 5, 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 13, 2002. The hearing officer determined that the appellant (claimant) did not have disability from his back injury for the period from July 10, 2002 (the day after his employment was terminated), through the date of the CCH.

The claimant has appealed, arguing facts that he believes were in his favor but not considered by the hearing officer. The claimant further asserts that he was prejudiced by not having an attorney and by being assisted by many different ombudsmen. The respondent (carrier) responds that the evidence supports the decision reached by the hearing officer.

DECISION

We affirm the hearing officer's decision.

While the ombudsmen are provided to assist the unrepresented claimant, the primary responsibility for presenting the case goes to the claimant; the ombudsman is not an attorney and does not represent the claimant in that sense. We cannot agree that the record supports a failure to present the relevant facts in the claimant's case.

We agree that there is support in the record for the inferences drawn by the hearing officer on the sole issue of disability. A trier of fact is not required to accept a claimant's testimony at face value, even if not specifically contradicted by other evidence. Bullard v. Universal Underwriters Insurance Company, 609 S.W.2d 621 (Tex. Civ. App.-Amarillo 1980, no writ). There are conflicts in the record, but those were the responsibility of the hearing officer to judge, considering the demeanor of the witnesses and the record as a whole. The decision is not so against the great weight and preponderance of the evidence so as to compel reversal.

The true corporate name of the insurance carrier is **TWIN CITY FIRE INSURANCE COMPANY** 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.**

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Michael B. McShane  
Appeals Panel  
Manager/Judge