

APPEAL NO. 030048  
FILED FEBRUARY 11, 2003

This appeal after remand 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 September 17, 2002. The hearing officer determined that appellant (claimant) did not sustain a compensable injury, that claimant did not have disability, and that respondent (carrier) timely contested the claimed injury in accordance with Section 409.021. Claimant appealed the determinations regarding injury, disability, and carrier waiver and also contended that the hearing officer erred in admitting certain evidence. Carrier responded that the Appeals Panel should affirm the hearing officer's decision and order. In Texas Workers' Compensation Commission Appeal No. 022661, decided November 19, 2002, the Appeals Panel reversed the hearing officer's determination that claimant did not sustain a compensable injury and rendered a decision that the claimed back injury is compensable as a matter of law. The Appeals Panel also reversed and rendered a decision that carrier waived the right to contest the claimed injury in this case and remanded the hearing officer's disability determination for further proceedings. The hearing officer did not hold a hearing on remand and signed a decision on remand determining that claimant did not have disability. Claimant again appeals, contending the evidence shows she had disability. Carrier responds that the Appeals Panel should affirm the hearing officer's decision.

DECISION

We affirm.

Essentially, the claimant quarrels with the manner in which the hearing officer gave weight and credibility to the evidence. We have reviewed the complained-of determination and conclude that the issue involved a fact question for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determination is supported by the record and is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). We also perceive no error in the placement of the burden of proof in this case.

We affirm the hearing officer's decision and order.

According to information provided by carrier, the true corporate name of the insurance carrier is **LIBERTY MUTUAL FIRE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEMS  
350 NORTH ST. PAUL, SUITE 2900  
DALLAS, TEXAS 75201.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Michael B. McShane  
Appeals Panel  
Manager/Judge