

APPEAL NO. 030082
FILED FEBRUARY 4, 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 December 4, 2002. The hearing officer determined that the appellant (claimant) had not sustained a compensable (bilateral hand) injury on _____, and that the claimant did not timely report her injury to the employer pursuant to Section 409.001.

The claimant appealed, contending that she had sustained an injury, as indicated in two medical reports, and had timely reported her injury by radio to a supervisor. The respondent (self-insured) responded, urging affirmance.

DECISION

Affirmed.

Most of the evidence is disputed. The claimant, a toll collector, testified that she sustained an injury to her hands when a tollgate hit her hands on _____. The claimant contends that she sustained a carpal tunnel syndrome (CTS) injury and that she reported that injury on her radio. There was conflicting evidence whether the claimant had a preexisting CTS injury; was wearing a hand brace in December 2000; and did not report her injury until February 15, 2001.

The testimony and medical evidence were in conflict in regard to the disputed issues and the evidence was sufficient to support the determinations of the hearing officer. The 1989 Act provides that the hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). Where there are conflicts in the evidence, the hearing officer resolves the conflicts and determines what facts the evidence has established. As an appeals body, we will not substitute our judgment for that of the hearing officer when the determination is not so against the overwhelming weight of the evidence as to clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); Texas Workers' Compensation Commission Appeal No. 950456, decided May 9, 1995.

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**COUNTY JUDGE
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Thomas A. Knapp
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Chris Cowan
Appeals Judge