

APPEAL NO. 030143  
FILED MARCH 12, 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 14, 2002. The hearing officer resolved the disputed issues by deciding that the respondent/cross-appellant's (claimant) compensable injury of \_\_\_\_\_, includes or extends to include a disc herniation at L4-5 and a disc bulge at L5-S1; that the claimant did not sustain a compensable injury on (alleged date of injury); and that the claimant did not sustain disability in connection with an alleged injury on (alleged date of injury). The claimant and the appellant/cross-respondent (carrier 1) appealed the hearing officer's decision. The respondent (carrier 2) responded.

DECISION

Affirmed.

Conflicting evidence was presented at the CCH on the disputed issues. Section 410.165(a) provides that the hearing officer is the sole judge of the relevance and materiality of the evidence offered and of the weight and credibility to be given to the evidence. It was for the hearing officer, as the finder of fact, to resolve the inconsistencies and conflicts in the evidence and determine what facts have been established. Although there is conflicting evidence in this case, we conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of insurance carrier 1 is **VALLEY FORGE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

The true corporate name of insurance carrier 2 is **SERVICE LLOYDS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**JOSEPH KELLY-GRAY, PRESIDENT  
6907 CAPITOL OF TEXAS HIGHWAY NORTH  
AUSTIN, TEXAS 78755.**

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Robert W. Potts  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Gary L. Kilgore  
Appeals Judge