

APPEAL NO. 030191
FILED MARCH 13, 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 January 6, 2003. The appellant (carrier) appeals the hearing officer's determinations that the respondent (claimant) sustained a compensable injury on _____, and that the claimant has had disability "beginning February 15, 2002, and continuing." The claimant's response requests affirmance.

DECISION

Affirmed, as reformed herein.

The claimant had the burden to prove that he sustained a compensable injury as defined by Section 401.011(10) and that he has had disability as defined by Section 401.011(16). Conflicting evidence was presented at the CCH on the disputed issues. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. Although there is conflicting evidence in this case, the hearing officer's determinations are supported by sufficient evidence and are 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 reform Conclusion of Law No. 4 and the hearing officer's decision and order to reflect that the claimant has had disability beginning February 15, 2002, and continuing through the date of the CCH.

The hearing officer's decision and order, as reformed herein, are affirmed.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

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

Robert W. Potts
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Roy L. Warren
Appeals Judge