

APPEAL NO. 030371  
FILED MARCH 14, 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 22, 2003. The hearing officer determined that the appellant (claimant) did not sustain a compensable injury on \_\_\_\_\_, and that the claimant does not have disability.

The claimant appealed, basically on sufficiency of the evidence grounds, arguing about what he perceives are misstatements in the hearing officer's Statement of the Evidence and inaccuracies in some of the written statements in evidence. The respondent (carrier) responds, urging affirmance.

DECISION

Affirmed.

The claimant was employed to unload cargo from an airplane into a truck and deliver the cargo to customers. The claimant testified that on \_\_\_\_\_, he injured his neck, right shoulder, and right middle finger when he "yanked" or "jerked" on some boxes while unloading an airplane. Much of the evidence and testimony is in conflict with the claimant accusing his supervisor of "false, misleading and inconsistent statements." Also in dispute were the circumstances of the claimant's employment termination and the relationship some other injuries may have had to the claimed injury.

The question of whether the claimant sustained a compensable injury and whether he had disability presented questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the fact finder, the hearing officer was charged with the responsibility of resolving the conflicts and inconsistencies in the evidence and deciding what facts the evidence had established. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was acting within his province as the fact finder in resolving the conflicts and inconsistencies in the evidence against the claimant. Nothing in our review of the record reveals that the challenged determinations are so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). Accordingly, no sound basis exists for us to disturb those determinations on appeal.

The hearing officer's decision and order are affirmed.

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

**MR. RUSSELL R. OLIVER, PRESIDENT  
221 WEST 6TH STREET  
AUSTIN, TEXAS 78701.**

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Daniel R. Barry  
Appeals Judge

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Elaine M. Chaney  
Appeals Judge