

APPEAL NO. 030445  
FILED APRIL 1, 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 January 15, 2003. The hearing officer determined that (1) the claimed injury of \_\_\_\_\_, was caused by the appellant's (claimant) willful attempt to injure himself, thereby relieving the carrier of liability for compensation pursuant to Section 406.032(1)(B); (2) because the claimant's injury was a result of a willful attempt to cause injury to himself, the claimant did not sustain a compensable injury on \_\_\_\_\_; and (3) because the claimant's injury was a result of a willful attempt to cause injury to himself, the claimant did not have disability. The claimant appeals these determinations on sufficiency of the evidence grounds. The respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in reaching the complained-of determinations. Whether the injury was caused by the claimant's willful intent to injure himself was a question 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)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determination is 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). Because the claimant's injury was a result of a willful attempt to cause injury to himself, the hearing officer correctly determined that the claimed injury was not compensable and the claimant did not have disability. Sections 406.032(1)(B) and 401.011(16).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS, SUITE 750, COMMODORE 1  
AUSTIN, TEXAS 78701.**

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Edward Vilano  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Roy L. Warren  
Appeals Judge