

APPEAL NO. 030447
FILED APRIL 11, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A consolidated contested case hearing (CCH) was held on January 30, 2003. With respect to the disputed issues before her in (docket No. 1), the hearing officer determined that the appellant (claimant) sustained a compensable mental trauma injury on (date of injury for Docket No. 1), and had resultant disability beginning June 4, 2002, and continuing through the date of the CCH. With respect to the disputed issues before her in (docket No. 2), the hearing officer determined that the claimant did not sustain a compensable injury to her head and neck on (date of injury for Docket No. 2), and thus had no resultant disability. The claimant appeals, challenging the sufficiency of the evidence on the compensability and disability determinations in docket No. 2. There is no response in the file from the respondent (carrier). Since neither party appealed the hearing officer's determinations made in docket No. 1, those determinations have become final pursuant to Section 410.169.

DECISION

Affirmed.

We have reviewed the complained-of determinations. As noted above, the hearing officer determined that the claimant sustained a compensable mental trauma injury on (date of injury for Docket No. 1), with resultant disability. Writing that she did not believe the claimant's testimony with respect to her claim in docket No. 2, the hearing officer determined that the claimant did not faint and fall in the work restroom, injuring her head and neck, on (date of injury for Docket No. 2). The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). The hearing officer was acting within her province as the fact finder in resolving the evidence in docket No. 2 in favor of the carrier and nothing in our review of the record demonstrates that the hearing officer's determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order is affirmed.

The true corporate name of the insurance carrier is **AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA** and the name and address of its registered agent for service of process is

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

Terri Kay Oliver
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Elaine M. Chaney
Appeals Judge