

APPEAL NO. 030515
FILED APRIL 7, 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 February 13, 2003. The hearing officer resolved the disputed issue by deciding that the appellant's (claimant) compensable injury sustained on _____, does not include the neck or the left shoulder. The claimant appealed and the respondent (carrier) responded.

DECISION

Affirmed.

It is undisputed that the claimant sustained a compensable injury on _____. The evidence reflects that the carrier accepted injuries to the claimant's right shoulder, lower back, and chest wall. The claimant contends that his compensable injury also includes his neck and left shoulder. Conflicting evidence was presented on the issue of the extent of the claimant's compensable injury. 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. The hearing officer determined that the compensable injury does not include the claimant's neck or left shoulder. 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 hearing officer's decision and order.

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

**ROBIN MOUNTAIN, ACE USA
6600 EAST CAMPUS CIRCLE DRIVE, SUITE 200
IRVING, TEXAS 75063.**

Robert W. Potts
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Terri Kay Oliver
Appeals Judge