APPEAL NO. 030580
FILED MARCH 31, 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 determined that the respondent (claimant) sustained a compensable injury on _____; that the appellant (self-insured) is not relieved of liability because the claimant timely reported the injury to her employer; and that the claimant had disability from the _____, compensable injury beginning on January 15, 2002, and continuing through the date of the hearing. The self-insured appealed, and the claimant responded, urging affirmance.

DECISION

Affirmed.

We have reviewed the complained-of determinations and find that the hearing officer's Decision and Order is supported by sufficient evidence to be affirmed. The disputed issues presented questions of fact for the hearing officer. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a); Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). There was conflicting evidence presented on the disputed issues. It was for the hearing officer, as the trier of fact, to resolve the conflicts and inconsistencies in the evidence and to determine what facts had been established. Garza v. Commercial Ins. Co., 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). Nothing in our review of the record reveals that the hearing officer's determinations are so contrary to the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. As such, no sound basis exists for us to reverse those determinations on appeal. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We note that in the self-insured's appeal, it asserts that the hearing officer committed reversible evidentiary error by way of several of his evidentiary rulings. The self-insured does not point to any specific ruling, nor does it discuss how the alleged rulings constituted an abuse of discretion. As such, we will not consider this assertion on appeal. Additionally, the self-insured asserts that the claimant failed to prove when the self-insured first received written notice of the claimed injury. This is irrelevant to any of the issues in dispute at the hearing on this matter. Section 409.001 merely requires a claimant to notify the employer of a claimed injury within 30 days of the date of injury. This notice by the claimant to the employer is not required to be in writing. Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 124.1 (Rule 124.1) refers to written notice to the carrier and triggers any time periods within which the carrier must act on a claim. Because there was no issue as to whether the self-insured acted in a timely manner in this claim, when the self-insured received first written notice of the claim is irrelevent.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

SUPERINTENDENT
(ADDRESS)
(CITY), TEXAS (ZIP CODE).

_____
Daniel R. Barry
Appeals Judge

CONCUR:

_____
Gary L. Kilgore
Appeals Judge

_____
Thomas A. Knapp
Appeals Judge