

APPEAL NO. 030619
FILED APRIL 22, 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 11, 2003. The hearing officer resolved the disputed issues by deciding that the appellant's (claimant) compensable injury of _____, to her right shoulder and lumbar spine does include the thoracic spine, but does not include "an aggravation of MRI findings of the cervical spine dated February 20, 2002: (Mild degenerative disc disease at C2-3 and C7-T1. Moderate disc disease at C3-4 with a central disc-osteophyte protrusion. Severe degenerative disc disease at C4-5, C5-6 and C6-7. Right-sided disc-osteophyte protrusion at C5-6 and C4-5 with moderate spinal stenosis at C5-6 and mild spinal stenosis at C4-5. Bilateral disc osteophyte complexes at C6-7 result in moderate neuroforaminal stenosis at this level. Mild spinal stenosis is present [sic] at this level) and MRI findings of bilateral shoulders." The hearing officer also determined that the claimant did not have disability from February 13 through December 8, 2002. The claimant appeals the hearing officer's decision with a general sufficiency of the evidence argument, and the respondent (self-insured) responds, urging that the hearing officer be affirmed.

DECISION

Affirmed.

We have reviewed the complained-of determinations. The extent-of-injury and disability issues were matters 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). 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 **(A CERTIFIED SELF-INSURED)** and the name and address of its registered agent for service of process is

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

Terri Kay Oliver
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Chris Cowan
Appeals Judge