

APPEAL NO. 030872  
FILED MAY 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 March 3, 2003. The hearing officer determined that the compensable injury sustained on \_\_\_\_\_, does not extend to and include an injury to the appellant's (claimant) lumbar spine, specifically, a disc herniation with nerve root impingement at L5-S1. The claimant appeals, taking issue with the way in which the hearing officer evaluated the evidence. The respondent (carrier) responds, urging affirmance.

DECISION

Affirmed.

Extent of injury is 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). The hearing officer reviewed the record and was not persuaded that the claimant's low back condition was causally related to the compensable injury of \_\_\_\_\_. We conclude that the hearing officer's determination is sufficiently supported by the record and is not 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).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **CAPITAL CITY INSURANCE COMPANY** 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.**

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Michael B. McShane  
Appeals Panel  
Manager/Judge

CONCUR:

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Veronica Lopez  
Appeals Judge

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Edward Vilano  
Appeals Judge