APPEAL NO. 030898
FILED JUNE 9, 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 (CCH) was held on March 17, 2003. The hearing officer determined that the respondent (claimant) sustained a repetitive trauma injury while in the course and scope of his employment; that the date of the injury was _____; that the claimant gave timely notice of the injury to his employer; and that he had disability from September 1, 2002, through the date of the hearing. The appellant (carrier) appeals this decision. The appeal file contains no response from the claimant.

DECISION

Affirmed.

Section 401.011(34) defines occupational disease as including repetitive trauma injuries. Whether the claimant's activities were sufficiently repetitive to cause the injury was a factual question for the hearing officer to resolve. Generally corroboration of an injury is not required and may be found based upon a claimant's testimony alone. Gee v. Liberty Mutual Fire Insurance Co., 765 S.W.2d 394 (Tex. 1989). Lay testimony is sufficient to establish causation where, based upon common knowledge, a fact finder could understand a causal connection between the employment and the injury, but expert testimony may be required where such common knowledge does not exist. Texas Workers' Compensation Commission Appeal No. 941464, decided January 9, 1995. Given that the claimant testified as to the connection between his work activities and his shoulder injury and, although not necessarily required to support the compensability determination, one of the claimant's treating doctors opined that the injury was most likely caused by the claimant's work activities, we perceive no error in the hearing officer's compensability determination.

The disputed issues in this case involved factual questions for the hearing officer to resolve. Section 410.165(a) provides that the contested case hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as of the weight and credibility that is to be given the evidence. It was the hearing officer's prerogative to believe all, part, or none of the testimony of any witness, including that of the claimant. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). Nothing in our review of the record indicates that the hearing officer's decision is 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).

The decision and order of the hearing office is affirmed.

The true corporate name of the insurance carrier is **ST. PAUL FIRE & MARINE INSURANCE COMPANY** and the name and address of its registered agent for service of process is

CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.

_____
Chris Cowan
Appeals Judge

CONCUR:

_____
Judy L. S. Barnes
Appeals Judge

_____
Robert W. Potts
Appeals Judge