

APPEAL NO. 030952  
FILED MAY 28, 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 April 1, 2003. The hearing officer determined that the appellant (claimant) did not have disability resulting from the compensable injury sustained on \_\_\_\_\_, for the period beginning on June 28, 2002, and continuing through the date of the hearing. The claimant, though pro se on appeal, files his appeal of that determination on an attorney's letterhead. The respondent (carrier) responds, urging affirmance. The hearing officer's determination that the employer did not tender a bona fide offer of employment to the claimant has not been appealed and is final.

DECISION

The hearing officer's decision is affirmed.

The claimant had the burden to prove that he had disability as defined by Section 401.011(16). Conflicting evidence was presented on the disputed issues. 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. 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).

The hearing officer's decision and order are affirmed.

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

**GARY SUDOL**  
**9330 LBJ FREEWAY, SUITE 1200**  
**DALLAS, TEXAS 75243.**

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Gary L. Kilgore  
Appeals Judge

CONCUR:

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Robert W. Potts  
Appeals Judge

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Margaret Turner  
Appeals Judge