

APPEAL NO. 031029
FILED JUNE 12, 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 27, 2003. The hearing officer decided the respondent (claimant) sustained a compensable injury in the form of an occupational disease on _____; and that the claimant had disability from _____, through June 19, 2002. The appellant (carrier) appeals those determinations. There is no response from the claimant contained in our file.

Prior to the CCH the parties withdrew the other issues certified at the benefit review conference (related to carrier waiver and timely reporting of the injury) and agreed that the claimant's date of injury was _____.

DECISION

Affirmed.

The issues before the hearing officer were whether the claimant sustained a compensable injury and had disability from that injury. Conflicting evidence was presented on those 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 from the evidence presented. The hearing officer's decision is supported by sufficient evidence and 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, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951).

The hearing officer's decision and order are affirmed.

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

**ROBIN MOUNTAIN
ACE USA
6600 EAST CAMPUS CIRCLE DRIVE, SUITE 200
IRVING, TEXAS 75063.**

Gary L. Kilgore
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Margaret Turner
Appeals Judge