

APPEAL NO. 031240
FILED JUNE 25, 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 25, 2003. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) sustained a compensable injury on _____; that the compensable injury includes an injury to the L4-5 and L5-S1 levels of the lumbar spine as identified by the MRI report of November 26, 2002; that the appellant (carrier) is not relieved of liability under Section 409.002 because the claimant timely reported his injury pursuant to Section 409.001; that the carrier specifically contested compensability pursuant to Section 409.022; and that the claimant has had disability beginning March 7, 2003, and continuing through the date of the CCH. The carrier appealed the hearing officer's determinations on the issues of compensable injury, extent of injury, and disability. The claimant responded, requesting affirmance. There is no appeal of the hearing officer's determinations on the issues of timely notice or contest of compensability.

DECISION

Affirmed.

The claimant had the burden to prove that he sustained a compensable injury as defined by Section 401.011(10) and that he had disability as defined by Section 401.011(16). The claimant also had the burden of proof on the issue of the extent of the compensable injury. 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. The hearing officer's determinations on the appealed issues are supported by the claimant's testimony and by the reports of the treating doctor. 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 self-insured governmental entity)** and the name and address of its registered agent for service of process is

**MM
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Robert W. Potts
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Thomas A. Knapp
Appeals Judge