

APPEAL NO. 031254
FILED JUNE 23, 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 April 23, 2003. The hearing officer resolved the disputed issues by deciding that the appellant's (claimant) compensable injury of _____, includes a coracoclavicular sprain, but does not include an injury to the cervical, thoracic, or lumbar spine, and that the claimant has had disability resulting from the compensable injury of _____, from December 23, 2002, through the date of the CCH. The claimant appealed the hearing officer's determination that her compensable injury does not include an injury to her cervical, thoracic, or lumbar spine. The respondent (carrier) responded, requesting affirmance. There is no appeal of the hearing officer's determination that the claimant's compensable injury includes a coracoclavicular sprain or that the claimant has had disability from December 23, 2002, through the date of the CCH.

DECISION

Affirmed.

Conflicting evidence was presented on the issue of the extent of the claimant's 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. We conclude that the hearing officer's determination that the compensable injury does not include an injury to the claimant's cervical, thoracic, or lumbar spine 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 (Tex. 1986).

We affirm the hearing officer's decision and order.

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

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Robert W. Potts
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Margaret L. Turner
Appeals Judge