

APPEAL NO. 031262  
FILED JUNE 26, 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 28, 2003. The hearing officer resolved the disputed issues by deciding that the appellant/cross-respondent (claimant) sustained a compensable injury on \_\_\_\_\_; that the respondent/cross-appellant (carrier) is not relieved of liability under Section 409.002 because the claimant timely reported his injury to his employer pursuant to Section 409.001; that the claimant had disability resulting from his compensable injury of \_\_\_\_\_, from December 27, 2001, through January 1, 2002, on March 19, 2002, on April 16 and April 17, 2002, and again on April 22, 2002; and that the carrier specifically contested compensability on the issue of timely notice to the employer. The claimant appeals the hearing officer's determination on the disability issue, contending that the hearing officer erred in not finding a period of disability after April 26, 2002. The carrier appeals the hearing officer's determinations that the claimant sustained a compensable injury, that he timely notified his employer of his injury, and that he had disability for the time periods found by the hearing officer. The carrier responded to the claimant's appeal. There is no response to the carrier's appeal. There is no appeal of the hearing officer's determination on the issue of the carrier's 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); that he had disability as defined by Section 401.011(16), and that he timely notified his employer of his injury within 30 days of the date the injury occurred. Conflicting evidence was presented on all of 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 determinations on the disputed issues are supported by sufficient evidence and that they are 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 MOTORISTS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Robert W. Potts  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Edward Vilano  
Appeals Judge