

APPEAL NO. 031471
FILED JULY 29, 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 May 7, 2003. The hearing officer resolved the disputed issues by deciding that the respondent's (claimant) compensable injury of _____, does extend to and include an injury to the left knee beyond simple strain/sprain resulting in accelerated degenerative process requiring a total knee replacement; and that the claimant had disability from the compensable injury of _____, beginning on October 17, 2001, and continuing through to the date of the hearing. The appellant (carrier) appealed, asserting that the claimant's degenerative changes preexist his compensable injury in their entirety and that his compensable injury is limited to a left knee sprain/strain that has resolved. The appeal file does not contain a response from the claimant.

DECISION

Affirmed.

The issues of extent of injury and disability involved factual questions for the hearing officer to resolve. 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 determined that there was a causal connection between the compensable injury of _____, and the claimant's accelerated degenerative process requiring total knee replacement. Nothing in our review of the record indicates that the hearing officer's decision is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

We affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **ROYAL INDEMNITY COMPANY** and the name and address of its registered agent for service of process is

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

Veronica Lopez-Ruberto
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Robert W. Potts
Appeals Judge