

APPEAL NO. 031774  
FILED AUGUST 28, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A consolidated contested case hearing was held on June 3, 2003. With regard to (Docket No. 1), the hearing officer resolved the disputed issue by deciding that the respondent (claimant) sustained a compensable injury in the form of an occupational disease, with a date of injury of (date of injury for Docket No. 1). With regard to (Docket No. 2), the hearing officer resolved the disputed issue by deciding that the compensable injury of (date of injury for Docket No. 2), does not extend to include the claimant's current complaints regarding her lumbar spine, cervical spine, thoracic spine, and her shoulders bilaterally. The appellant (self-insured) appealed the hearing officer's entire decision and argues the determination in Docket Nos. 1 and 2 are against the great weight and preponderance of the evidence. The appeal file does not contain a response from the claimant.

DECISION

Affirmed.

We have reviewed the complained-of determinations. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). This equally true regarding medical evidence. Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The self-insured argues that the medical evidence is insufficient to establish that the claimant sustained an injury on (date of injury for Docket No. 1). The hearing officer reviewed the evidence and she found that the claimant's repetitive and traumatic employment duties caused her to sustain lumbar, thoracic, and cervical sprains/strains that manifested on (date of injury for Docket No. 1). The hearing officer was persuaded by the claimant's testimony and the medical reports in evidence, that the claimant sustained a compensable injury in the form of an occupational disease on (date of injury for Docket No. 1). The hearing officer determined that the compensable injury of (date of injury for Docket No. 2), does not extend to include the claimant's current complaints regarding her lumbar spine, cervical spine, thoracic spine, and her shoulders bilaterally. The hearing officer was acting within her province as the fact finder in resolving the evidence and nothing in our review of the record demonstrates that the hearing officer's determinations are so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Pool v. Ford Motor Company, 715 S.W.2d 629, 635 (Tex. 1986); Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **(a certified self-insured)** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL STREET  
DALLAS, TEXAS 75201.**

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Veronica Lopez-Ruberto  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Edward Vilano  
Appeals Judge