

APPEAL NO. 031891
FILED SEPTEMBER 4, 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 June 10, 2003. The hearing officer resolved the disputed issue by deciding that the respondent's (claimant) compensable injury of _____, includes moderate desiccation of the L4-5 and L5-S1 discs with moderate loss in height at L5-S1 and central posterior bulge at the L5-S1 level becoming of protrusion severity along the right lateral margin. The appellant (carrier) appeals, contending that no evidence supports the hearing officer's decision. No response was received from the claimant.

DECISION

Affirmed.

The parties stipulated that the claimant sustained a compensable lumbar spine injury. The extent of the injury presented a fact question for the hearing officer to determine based on the evidence presented. 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. Although there is conflicting evidence in this case, the hearing officer's decision is 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 **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

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

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Gary L. Kilgore
Appeals Judge