

APPEAL NO. 032045  
FILED SEPTEMBER 18, 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 25, 2003. With respect to the single issue before him, the hearing officer determined that the respondent (claimant) had disability as a result of her \_\_\_\_\_, compensable injury, from October 27 to December 7, 2002. In its appeal, the appellant (carrier) essentially argues that the hearing officer's disability determination is against the great weight of the evidence. The appeal file does not contain a response to the carrier's appeal from the claimant.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant had disability as a result of her compensable injury from October 27 to December 7, 2002. That issue presented a question of fact 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 trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was persuaded that the claimant sustained her burden of proving that she was unable to work during the period of disability found as a result of her compensable injury. Nothing in our review of the record reveals that the hearing officer's disability determination is so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse that determination on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986). We find no merit in the carrier's assertion that "an incorrect result was reached in this matter due to the Hearing Officer's misunderstanding of the facts." Our review of the record does not demonstrate that the hearing officer had a material misunderstanding of the facts such that his decision was not supported by sufficient evidence.

The hearing officer's decision and order are affirmed.

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

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Elaine M. Chaney  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Margaret L. Turner  
Appeals Judge