

APPEAL NO. 032096  
FILED SEPTEMBER 19, 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 (CCH) was held on July 16, 2003. The hearing officer determined that the respondent (claimant) sustained a compensable right hand and right wrist injury that occurred as a result of repetitious traumatic activities in the form of an occupational disease injury on \_\_\_\_\_, and had disability from March 15, 2003, through the date of the CCH. The appellant (carrier) appeals, arguing that the great weight of evidence does not support these determinations. The claimant responded urging affirmance.

DECISION

Affirmed.

The claimant worked as a sorter, separating various types of fasteners, screws and nails into different bins using her hands. The claimant testified that she did this task continuously for an eight-hour workday with three breaks including lunch. On \_\_\_\_\_, the claimant felt a popping in her right hand and was diagnosed with radial styloid tenosynovitis. The hearing officer found the claimant to be credible and there is medical evidence to support the hearing officer's determinations.

The carrier argues that the great weight of evidence shows that the claimant did not suffer a compensable injury to her right extremity on \_\_\_\_\_, that arose out of and in the course and scope of employment with the employer and that the claimant does not have disability as a result of the claimed injury. This case rests largely on the credibility of the claimant's testimony and as we have frequently noted, the hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)), resolves the conflicts and inconsistencies in the evidence (Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ)), and determines what facts have been established from the conflicting evidence. St. Paul Fire & Marine Insurance Company v. Escalera, 385 S.W.2d 477 (Tex. Civ. App.-San Antonio 1964, writ ref'd n.r.e.). The hearing officer resolved the contradictions and inconsistencies in the claimant's favor. The Appeals Panel will not disturb the challenged factual findings of a hearing officer unless they are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust and we do not find them so in this case. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986); In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **ILLINOIS NATIONAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS, COMMODORE 1, SUITE 750  
AUSTIN, TEXAS 78701.**

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Edward Vilano  
Appeals Judge