

APPEAL NO. 032123  
FILED SEPTEMBER 30, 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 July 16, 2003. The hearing officer determined that the appellant's (claimant) compensable (low back) injury of \_\_\_\_\_ does not include a torn meniscus in the right knee. The claimant appeals, basically on sufficiency of the evidence grounds, contending that she did injure her right knee in the compensable fall. The file does not contain a response from the respondent (carrier).

DECISION

Affirmed.

The parties stipulated that the claimant sustained a compensable injury on \_\_\_\_\_. The claimant testified how she slipped and fell on her hands and right knee. The carrier accepted a compensable low back injury. Although the claimant went to the emergency room (ER) on \_\_\_\_\_, neither the ER records, incident reports, or other medical records mention right knee complaints until an ER record of November 4, 2001. The claimant testified how her knee had buckled or "went out" the day before (November 3, 2001), while walking across the floor at home.

Whether the claimant's compensable injury included the alleged conditions was a factual question 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 in the evidence and determines what facts have been established. 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).

The decision and order of the hearing officer are affirmed.

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

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

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Thomas A. Knapp  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Chris Cowan  
Appeals Judge