

APPEAL NO. 032325
FILED OCTOBER 22, 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 August 5, 2003. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____, and had disability from February 16 through March 3, 2003. The appellant (self-insured) appeals on sufficiency of the evidence grounds. There is no response from the claimant in the appeal file.

DECISION

Affirmed.

The hearing officer did not err in making the complained-of determinations. The determinations involved questions 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)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude that the hearing officer's determinations are 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 self-insured asserts that the hearing officer failed to consider its evidence and demonstrated bias in reaching his decision. We find no support in the record for these contentions. Indeed, the hearing officer stated in the "Statement of the Evidence" portion of the decision, that all of the evidence presented was considered. Additionally, the fact that the hearing officer issued a decision adverse to the self-insured does not demonstrate bias but is the prerogative of the hearing officer as the sole judge of the weight and credibility of the evidence.

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
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Edward Vilano
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Margaret L. Turner
Appeals Judge