

APPEAL NO. 032644
FILED NOVEMBER 13, 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 September 16, 2003. The hearing officer resolved the disputed issue by deciding that the appellant's (claimant) compensable injury of _____, does not extend to include an injury to the cervical and lumbar spine. The claimant appeals, contending that the evidence shows that she did sustain an injury to her cervical and lumbar spine on _____. The respondent (self-insured) asserts that the evidence supports the hearing officer's decision.

DECISION

Affirmed.

Conflicting evidence was presented on the disputed issue of whether the claimant's compensable injury includes an injury to her cervical and lumbar spine. 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, we conclude that the hearing officer's determination on the disputed issue 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 **A GOVERNMENTAL ENTITY SELF-INSURED THROUGH DEEP EAST TEXAS SELF-INSURANCE FUND** and the name and address of its registered agent for service of process is

**SUPERINTENDENT
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Chris Cowan
Appeals Judge