

APPEAL NO. 032776
FILED DECEMBER 11, 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 23, 2003. The hearing officer determined that the respondent (claimant) sustained a compensable injury on _____, and that the claimant had disability from March 31 through June 3, 2003.

The appellant (self-insured) appealed on sufficiency of the evidence grounds. The file does not have a response from the claimant.

DECISION

Affirmed.

It is undisputed that the claimant, a school bus driver for the self-insured, was involved in a motor vehicle accident on _____, when another vehicle was knocked into the driver's side of the 72-passenger bus the claimant was driving. The self-insured argues this was a minor incident and "it is inconceivable" that the claimant could have been injured. A police report indicates that the bus the claimant was driving sustained level 2 damage and that the claimant could have a "possible injury." The claimant's treating doctor diagnosed cervical and bilateral shoulder strain.

The evidence and inferences to be drawn from the evidence were in conflict in regard to the disputed issues and the evidence was sufficient to support the determinations of the hearing officer. The 1989 Act provides that the hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). Where there are conflicts in the evidence, the hearing officer resolves the conflicts and determines what facts the evidence has established. 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. The hearing officer's decision is supported by sufficient evidence and 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, 176 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

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

Thomas A. Knapp
Appeals Judge

CONCUR:

Elaine M. Chaney
Appeals Judge

Gary L. Kilgore
Appeals Judge