

APPEAL NO. 032877  
FILED DECEMBER 12, 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 October 1, 2003. The hearing officer determined that the \_\_\_\_\_, compensable injury of respondent (claimant) extends to and includes an injury to the lumbar spine, and that appellant (carrier) has not waived the right to dispute compensability of the claimed injury. Carrier appealed the hearing officer's determination regarding extent of injury on sufficiency grounds. Claimant responded, urging affirmance. The hearing officer's determination regarding carrier waiver was not appealed and is now final. Section 410.169.

DECISION

We affirm.

We have reviewed the complained-of determination regarding extent of injury and conclude that the issue involved a fact question for the hearing officer. The hearing officer reviewed the record and decided what facts were established. The hearing officer commented that claimant was credible about the mechanism of his injury and that he met his burden of proof. We conclude that the hearing officer's determination is supported by the record and is not 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).

We affirm the hearing officer's decision and order.

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

**CORPORATION SERVICE COMPANY  
800 BRAZOS  
AUSTIN, TEXAS 78701.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Robert W. Potts  
Appeals Judge