

APPEAL NO. 032878
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 October 1, 2003. With respect to the issues before her, the hearing officer determined that the appellant/cross-respondent (claimant) sustained a compensable groin injury on _____; that she timely reported her injury to her employer; that her compensable injury did not extend to include a left shoulder injury; and that the claimant did not have disability as a result of her compensable injury. In her appeal, the claimant asserts error in the hearing officer's determinations that her compensable injury does not include a left shoulder injury and that she did not have disability. In its response to the claimant's appeal, the respondent/cross-appellant (carrier) urges affirmance of those determinations. In its cross-appeal, the carrier argues that the hearing officer erred in determining that the claimant sustained a compensable groin injury, and that she timely reported her injury to her employer. In her response to the cross-appeal, the claimant asks that we affirm the injury and notice determinations.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant sustained a compensable groin injury on _____; that the compensable injury does not extend to include an injury to the left shoulder; that the claimant timely reported her injury to her employer; and that she did not have disability as a result of her compensable injury. Those issues presented questions of fact for the hearing officer to resolve. The hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as the weight and credibility that is to be given to the evidence. Section 410.165(a). It was a matter for the hearing officer to resolve the inconsistencies and conflicts in the evidence and to decide what facts the evidence has established. Garza v. Commercial Ins. Co., 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). In this instance, the hearing officer was persuaded that the claimant sustained her burden of proof on the injury and notice issues but that she did not sustain her burden with regard to the disability and extent issues. Nothing in our review of the record reveals that the challenged determinations are so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Accordingly, no sound basis exists for us to reverse those determinations on appeal. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **LIBERTY INSURANCE CORPORATION** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEMS
350 NORTH ST. PAUL, SUITE 2900
DALLAS, TEXAS 75201.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Robert W. Potts
Appeals Judge

Margaret L. Turner
Appeals Judge