

APPEAL NO. 033083
FILED JANUARY 2, 2004

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 November 10, 2003. With respect to the issues before her, the hearing officer determined that the appellant's (claimant) _____, compensable injury does not include an injury to the low back and tailbone consisting of right sacroiliac joint dysfunction syndrome and degenerative disc disease of the lumbar spine, and that the claimant had disability, as a result of his compensable injury, from March 25 to April 14, 2002. The claimant appealed both determinations on sufficiency of the evidence grounds, asserting that the compensable injury does include the above-referenced conditions and that he has had disability from March 11, 2003, through the date of the hearing in addition to the period found by the hearing officer. In its response, the respondent (carrier) urges affirmance.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant's compensable injury does not include right sacroiliac dysfunction syndrome and lumbar degenerative disc disease and that his disability ended on April 14, 2002. Those issues presented 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). As the trier of fact, the hearing officer resolves the conflicts and inconsistencies in the evidence and decides what facts the evidence has established. Texas Employers Ins. Ass'n v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). The hearing officer was not persuaded that the claimant sustained his burden of proving that his compensable injury included right sacroiliac joint dysfunction syndrome and lumbar degenerative disc disease or that he had disability after April 14, 2002, from his compensable injury. 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 decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **TRAVELERS INDEMNITY COMPANY OF CONNECTICUT** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Elaine M. Chaney
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Edward Vilano
Appeals Panel