

APPEAL NO. 033163
FILED JANUARY 13, 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 6, 2003. The hearing officer determined that the appellant (claimant) did not sustain a compensable injury on _____. The claimant appeals this determination and disputes the accuracy of the hearing officer's rendition of the facts of the case. The respondent (carrier) urges affirmance.

DECISION

Affirmed.

With regard to the claimant's assertion on appeal that the hearing officer inaccurately recited the facts of the case in the decision, a statement of evidence, if made, only needs to reasonably reflect the record. Each area that the hearing officer addressed in the Statement of the Evidence is supported in the record. We perceive no reversible error with regard to the summary of the case and the evidence. We also note that the claimant requests a copy of the transcript, however, the Texas Workers' Compensation Commission (Commission) is under no obligation to furnish a party with a transcript of the proceedings. The claimant may obtain a copy of the transcript, at her own expense, from the court reporter, or she can submit blank audiocassette tapes to the Commission for copying at no charge.

Whether the claimant sustained a compensable injury was a factual question 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)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). It was the hearing officer's prerogative to believe all, part, or none of the testimony of any witness, including that of the claimant. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). Nothing in our review of the record indicates that the hearing officer's decision is 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 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

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

**ROBIN M. MOUNTAIN
6600 CAMPUS CIRCLE DRIVE EASE, SUITE 300
IRVING, TEXAS 75063.**

Chris Cowan
Appeals Judge

CONCUR:

Margaret L. Turner
Appeals Judge

Edward Vilano
Appeals Judge