

APPEAL NO. 033197
FILED FEBRUARY 3, 2004

This appeal after remand 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 May 22, 2003, with (hearing officer 1). Hearing officer 1 determined that respondent (claimant) did not sustain a compensable injury and that he did not have disability. Claimant appealed these determinations on sufficiency grounds. Appellant (carrier) responded that the Appeals Panel should affirm this decision and order. The Appeals Panel reversed the decision of hearing officer 1 and remanded for reconsideration of the issues along with new evidence attached to claimant's appeal. Texas Workers' Compensation Commission Appeal No. 031779, decided August 18, 2003. A hearing on remand was held on November 19, 2003, with (hearing officer 2). Hearing officer 2 determined that claimant sustained a compensable injury and that he had disability from January 8, 2003, through May 14, 2003. Carrier appealed these determinations on sufficiency grounds. The file does not contain a response from claimant.

DECISION

We affirm.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. Hearing officer 2 reviewed the record and decided what facts were established. We conclude that the determinations of hearing officer 2 are supported by the record and are 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 on remand.

According to information provided by carrier, the true corporate name of the insurance carrier is **ASSOCIATION CASUALTY INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**HAROLD FISHER, PRESIDENT
3420 EXECUTIVE CENTER DRIVE, SUITE 200
AUSTIN, TEXAS 78731.**

Judy L. S. Barnes
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Thomas A. Knapp
Appeals Judge