

APPEAL NO. 033271  
FILED FEBRUARY 10, 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 13, 2003. The hearing officer determined that the compensable injury of \_\_\_\_\_, extends to include a pseudoarthrosis at L5-S1 but not cauda equina syndrome. The appellant (carrier) appeals the hearing officer's extent-of-injury determination with regard to pseudoarthrosis at L5-S1, on sufficiency of the evidence grounds. The respondent (claimant) urges affirmance. The hearing officer's extent-of-injury determination with regard to cauda equina syndrome was not appealed and has become final. Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in determining that the compensable injury of \_\_\_\_\_, extends to include a pseudoarthrosis at L5-S1. This determination involved a question 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)) 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)). In view of the evidence presented, we cannot conclude that the hearing officer's determination 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, 176 (Tex. 1986).

The decision and order of the hearing officer is affirmed.

The true corporate name of the insurance carrier is **THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY  
800 BRAZOS, SUITE 750  
AUSTIN, TEXAS 78701.**

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Edward Vilano  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Margaret L. Turner  
Appeals Judge