

APPEAL NO. 033373  
FILED FEBRUARY 23, 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 December 2, 2003. The hearing officer determined that the respondent (claimant) sustained a compensable repetitive trauma injury with a date of injury of \_\_\_\_\_; that the claimant gave timely notice of the injury to her employer; and that the claimant had disability from April 27, 2003, through the date of the hearing. The appellant (carrier) appeals these determinations. The appeal file contains no response from the claimant.

DECISION

Affirmed.

The disputed issues in this case involved factual questions 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, 176 (Tex. 1986).

The carrier argues that the hearing officer's reliance on Dr. M report to establish a "causal link" between the claimant's work activities and the compensable injury is misplaced. The hearing officer, however, noted that Dr. M might only have had a general understanding of the claimant's work activities and work history. We cannot agree that the hearing officer relied on Dr. M's report in making his decision and would note that expert medical evidence was not required in this case to establish causation. Texas Workers' Compensation Commission Appeal No. 92083, decided April 16, 1992. Additionally, the carrier specifically asserts that the period of disability is excessive in relation to the injury, which "is merely a strain." However, the record does not reflect that the compensable injury was limited to a wrist sprain.

The hearing officer's decision and order are affirmed.

The true corporate name of the insurance carrier is **PACIFIC EMPLOYERS INSURANCE COMPANY** and the name and address of its registered agent for service of process is

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

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Chris Cowan  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Edward Vilano  
Appeals Judge