

APPEAL NO. 040097  
FILED FEBRUARY 25, 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 11, 2003. The hearing officer decided that the appellant (claimant) did not sustain a compensable injury on \_\_\_\_\_, and did not have disability. The claimant appeals these determinations on sufficiency of the evidence grounds. The respondent (carrier) asserts that the claimant's appeal is insufficient under Section 410.202(c) and Tex. W.C. Comm'n, 28 TEX. ADMIN. CODE § 143.3(a) (Rule 143.3(a)) and, in the alternative, urges affirmance.

DECISION

Affirmed.

We first address the carrier's assertion that the claimant's appeal is insufficient under Section 410.202(c) and Rule 143.3(a). We have held that no particular form of appeal is required and an appeal, although terse or inartfully worded, will be considered. Texas Workers' Compensation Commission Appeal No. 91131, decided February 12, 1992; Texas Workers' Compensation Commission Appeal No. 93040, decided March 1, 1993. We have also held that an appeal which lacks specificity will be treated as appeal on the sufficiency of the evidence. Texas Workers' Compensation Commission Appeal No. 92081, decided April 14, 1992. In the present case, the claimant's request for review clearly states that he is appealing the hearing officer's adverse injury and disability determinations. Thus, we cannot agree that the appeal is insufficient under Section 410.202(c) and Rule 143.3(a), and we consider it as a challenge to the sufficiency of the evidence of the hearing officer's injury and disability determinations.

The hearing officer did not err in making the complained-of determinations. The determinations involved 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)) 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 determinations are 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 **ZENITH INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**JEFF AUTREY  
ROAN & AUTREY  
400 WEST 15TH STREET  
AUSTIN, TEXAS 78701.**

---

Edward Vilano  
Appeals Judge

CONCUR:

---

Chris Cowan  
Appeals Judge

---

Thomas A. Knapp  
Appeals Judge