

APPEAL NO. 040234  
FILED MARCH 17, 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 29, 2003. The hearing officer determined that the appellant's (claimant) \_\_\_\_\_, compensable injury extends to include the right knee including the diagnosis of strain to the right distal quadriceps muscle and musculotendinous insertion, specifically the lateral quadriceps muscle, and tendonitis of the quadriceps insertion into the distal lateral knee. The hearing officer additionally determined that the claimant had disability from March 20 through April 16, 2003. The claimant appeals the disability determination, arguing that disability continued beyond April 16, 2003. The respondent (carrier) urges affirmance of the hearing officer's decision. The extent of injury determination was not appealed and has become final. Section 410.169.

DECISION

Affirmed.

Whether the claimant had disability and, if so, for what period of time, 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)). The claimant argues that because his compensable injury includes internal knee derangement, his period of disability extended beyond April 16, 2003; however, the hearing officer did not find that the compensable injury includes internal knee derangement. The hearing officer relied on the report of Dr. D and determined that the claimant had disability from March 20 through April 16, 2003. Nothing in our review of the record indicates that the hearing officer's disability 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 are affirmed.

The true corporate name of the insurance carrier is **AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM  
350 NORTH ST. PAUL  
DALLAS, TEXAS 75201.**

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Chris Cowan  
Appeals Judge

CONCUR:

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Gary L. Kilgore  
Appeals Judge

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Robert W. Potts  
Appeals Judge