

APPEAL NO. 040530
FILED APRIL 26, 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 February 5, 2004. The hearing officer resolved the disputed issues by determining that the appellant's (claimant) _____, compensable injury does not include an injury to the cervical and lumbar spine; that she had disability from August 20 to August 21, 2003; and that the employer did not make a bona fide offer of employment (BFOE) to the claimant. The claimant appeals the extent-of-injury determination and, with regard to the ending date, the disability determination. The respondent (carrier) urges affirmance of the hearing officer's decision. The determination that the employer did not make a BFOE to the claimant has not been appealed and has become final pursuant to Section 410.169.

DECISION

Affirmed.

The appealed issues in this case involved factual questions for the hearing officer to resolve. The hearing officer is the sole judge of the relevance, materiality, weight, and credibility of the evidence presented at the hearing. Section 410.165(a). 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 extent-of-injury and disability 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 (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.**

Chris Cowan
Appeals Judge

CONCUR:

Daniel R. Barry
Appeals Judge

Edward Vilano
Appeals Judge