

APPEAL NO. 040636  
FILED MAY 13, 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 March 2, 2004. The hearing officer determined that the respondent (claimant) sustained a compensable injury, including a compensable low back injury, on \_\_\_\_\_, and that she had disability beginning on July 30, 2003, and continuing through the date of the hearing. The appellant (carrier) appealed, asserting legal and factual error. The appeal file does not contain a response from the claimant.

DECISION

Affirmed, as reformed.

We note that the hearing officer's Finding of Fact No. 7 and Conclusion of Law No. 4 indicate that the date of the hearing on this matter was March 2, 2003. This is a clear typographical error, as Texas Workers' Compensation Commission records reflect that the hearing was held on March 2, 2004. As such, Finding of Fact No. 7 and Conclusion of Law No. 4 are hereby reformed to reflect that the hearing on this matter was held on March 2, 2004.

We have reviewed the complained-of determinations and find that the hearing officer's Decision and Order is supported by sufficient evidence to be affirmed. The disputed issues presented questions of fact for the hearing officer. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a); Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ). There was conflicting evidence presented on the disputed issues of injury and disability. It was for the hearing officer, as the trier of fact, to resolve the conflicts and inconsistencies in the evidence and to determine what facts had been established. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.-Amarillo 1974, no writ). Nothing in our review of the record reveals that the hearing officer's determinations are so contrary to the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. As such, no sound basis exists for us to reverse those determinations on appeal. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). We likewise perceive no legal error.

The hearing officer's decision and order are affirmed, as reformed.

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 STREET, SUITE 750, COMMODORE 1  
AUSTIN, TEXAS 78701.**

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Daniel R. Barry  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Veronica L. Ruberto  
Appeals Judge