

APPEAL NO. 040963  
FILED JUNE 21, 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 April 8, 2004. The hearing officer determined that appellant/cross-respondent (claimant) sustained a compensable injury and that he did not have disability. Claimant appealed the disability determination, contending that the hearing officer did not properly consider the evidence. In its cross-appeal, respondent/cross-appellant (carrier) indicates that the hearing officer did not err in determining that claimant did not have disability. Carrier does contend that the hearing officer erred in determining that claimant sustained a compensable injury. Claimant responded that the hearing officer did not err in making that determination.

DECISION

We affirm.

We have reviewed the complained-of determinations and conclude that the issues involved fact questions for the hearing officer. The hearing officer reviewed the record and decided what facts were established. We conclude that the hearing officer's determinations are supported by the record and are not 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). We note that the hearing officer did state that Dr. Honer (Dr. H) did not take claimant off work, yet there is an off-work slip from Dr. H in the record. Given the other evidence and the hearing officer's explanation of his disability determination, we conclude that any error was not reversible and did not result in an improper decision in this case.

We affirm the hearing officer's decision and order.

According to information provided by carrier, the true corporate name of the insurance carrier is **ARGONAUT SOUTHWEST INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**BYRON L. LEFLORE, JR.  
10101 REUNION PLACE, SUITE 500  
SAN ANTONIO, TEXAS 78216-4156.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Chris Cowan  
Appeals Judge

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Michael B. McShane  
Appeals Panel  
Manager/Judge