

APPEAL NO. 041149
FILED JUNE 28, 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 28, 2004. With regard to (Docket No. 1), the hearing officer determined that the appellant (claimant) did not sustain a compensable injury on (date of injury for Docket No. 1). With regard to (Docket No. 2), the hearing officer determined that the claimant sustained a compensable injury on (date of injury for Docket No. 2), but had no resulting disability. The claimant appeals the finding that he had no disability resulting from the (date of injury for Docket No. 2), compensable injury. The respondent (carrier) urges affirmance of the hearing officer's decision. The determinations that the claimant did not sustain a compensable injury on (date of injury for Docket No. 1), and did sustain a compensable injury on (date of injury for Docket No. 2), have not been appealed and have become final pursuant to Section 410.169.

DECISION

Affirmed.

Whether the claimant had disability resulting from the (date of injury for Docket No. 2), compensable injury was a factual question 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 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 (Tex. 1986).

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **AMERICAN HOME ASSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS, SUITE 750, COMMODORE 1
AUSTIN, TEXAS 78701.**

Chris Cowan
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Edward Vilano
Appeals Judge