

APPEAL NO. 041987  
FILED SEPTEMBER 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 (CCH) was held on July 16, 2004. The hearing officer resolved the disputed issues by deciding that the respondent (claimant) sustained a compensable repetitive trauma injury with a date of injury of \_\_\_\_\_, and that she had disability from \_\_\_\_\_, through the date of the CCH. The appellant (self-insured) appeals, contending that the hearing officer's determinations on the disputed issues are against the great weight and preponderance of the evidence. No response was received from the claimant.

DECISION

Affirmed.

The claimant claimed that she sustained a repetitive trauma injury from performing her work activities and that she has had disability. The claimant had the burden to prove that she sustained a repetitive trauma injury as defined by Section 401.011(36) and that she has had disability as defined by Section 401.011(16). Conflicting evidence was presented at the CCH. The hearing officer is the sole judge of the weight and credibility to be given to the evidence. Although there is conflicting evidence in this case, we conclude that the hearing officer's determinations are supported by sufficient evidence and are not so contrary to the overwhelming weight of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

The true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**BP  
(ADDRESS)  
(CITY), TEXAS (ZIP CODE).**

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Robert W. Potts  
Appeals Judge

CONCUR:

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Daniel R. Barry  
Appeals Judge

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Chris Cowan  
Appeals Judge