

APPEAL NO. 042002  
FILED SEPTEMBER 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 convened on July 19, 2004. The hearing officer resolved the disputed issues by deciding that appellant/cross-respondent (claimant) did not sustain a compensable injury on \_\_\_\_\_, and that he did not have disability. Claimant appeals the adverse determinations regarding injury and disability on sufficiency grounds. Respondent/cross-appellant (carrier) responded that the hearing officer did not err in making the complained-of determinations. Carrier filed a cross-appeal, contending that the hearing officer erred in determining that claimant timely reported the claimed injury. The file does not contain a response from claimant to carrier's cross-appeal.

DECISION

We affirm.

Claimant contends that the hearing officer erred in determining that he did not sustain an injury at work on \_\_\_\_\_, and that he did not have disability. 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).

Carrier contends the hearing officer erred in determining that claimant timely reported the claimed injury. The hearing officer considered the conflicting evidence in this regard and decided what facts were established. We conclude that the hearing officer's determination that claimant timely reported the claimed injury is supported by the record and is not so against the great weight and preponderance of the evidence as to be clearly wrong or manifestly unjust. Cain, *supra*. However, the fact that we are affirming this determination does not change the fact that the injury is not compensable.

We affirm the hearing officer's decision and order.

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.**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Margaret L. Turner  
Appeals Judge