

APPEAL NO. 042078  
FILED OCTOBER 11, 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 1, 2004. The hearing officer resolved the disputed issue by deciding that the compensable injury of \_\_\_\_\_, does not extend to or include an injury to the left ulnar nerve. The appellant (claimant) appealed, arguing that the extent-of-injury determination is against the great weight and preponderance of the evidence. The respondent (carrier) responded, urging affirmance.

DECISION

Affirmed.

The parties stipulated that on \_\_\_\_\_, the claimant sustained a compensable injury. At issue was whether the \_\_\_\_\_, compensable injury extended to include an injury to the left ulnar nerve. Extent of injury is a factual determination for the hearing officer to resolve. The hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence, as well as the weight and credibility that is to be given to the evidence. Section 410.165(a). The hearing officer reviewed the record and the conflicting medical evidence, and was persuaded that the claimant did not sustain any injury to his left ulnar nerve in or as a result of the compensable injury of \_\_\_\_\_. We conclude that the hearing officer's decision is supported by sufficient evidence and that it is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the decision and order of the hearing officer.

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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Margaret L. Turner  
Appeals Judge

CONCUR:

\_\_\_\_\_  
Gary L. Kilgore  
Appeals Judge

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Veronica L. Ruberto  
Appeals Judge