

APPEAL NO. 042139
FILED OCTOBER 20, 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 July 28, 2004. The hearing officer determined that: (1) the respondent/cross-appellant (claimant) sustained a compensable injury on _____; (2) the compensable injury of _____, includes the forehead, nose, and bilateral knees, but does not include the cervical spine, thoracic spine, lumbar spine, head, bilateral wrists, hands, forearms, elbows, and/or a right shoulder rotator cuff tear; and (3) the claimant had disability from the compensable injury of _____, beginning March 19 and continuing through April 22, 2004, but did not have disability beginning April 23, 2004, and continuing through the date of the hearing. The appellant/cross-respondent (carrier) appealed the hearing officer's injury determination, arguing that the claimant was not in the course and scope of her employment when her injury occurred. The claimant cross-appealed those portions of the hearing officer's extent-of-injury and disability determinations that were adverse to the claimant. The carrier responded to the claimant's appeal, urging affirmance. The appeal file does not contain a response from the claimant.

DECISION

Affirmed.

The claimant had the burden to prove that she sustained an injury in the course and scope of her employment, the extent of her injury, and that she had disability. These issues presented factual questions for the hearing officer to determine from the evidence presented. As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established from the evidence presented. We have reviewed the complained-of determinations. Nothing in our review of the record indicates that the hearing officer's determinations are 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 affirm the decision and order of the hearing officer.

The true corporate name of the insurance carrier is **NATIONAL FIRE INSURANCE COMPANY OF HARTFORD** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Veronica L. Ruberto
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Margaret L. Turner
Appeals Judge