

APPEAL NO. 042146
FILED OCTOBER 7, 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 scheduled for May 25, 2004, but reset and held on August 4, 2004. The hearing officer determined that: (1) the appellant/cross-respondent (claimant) sustained a compensable injury on _____; (2) the compensable injury does not extend to include an injury to the lumbar spine and/or right hip; and (3) the claimant did not have disability from March 11, 2004, through March 18, 2004. The claimant appeals the extent-of-injury and disability determinations on sufficiency of the evidence grounds. The respondent/cross-appellant (self-insured) urges affirmance of these determinations but cross-appeals the determination that the claimant sustained a compensable injury.

DECISION

Affirmed.

The hearing officer did not err in making the complained-of determinations. The determinations involved questions of fact for the hearing officer to resolve. The hearing officer is the sole judge of the weight and credibility of the evidence (Section 410.165(a)) and, as the trier of fact, resolves the conflicts and inconsistencies in the evidence, including the medical evidence (Texas Employers Insurance Association v. Campos, 666 S.W.2d 286 (Tex. App.-Houston [14th Dist.] 1984, no writ)). In view of the evidence presented, we cannot conclude 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).

The decision and order of the hearing officer is affirmed.

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

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

Edward Vilano
Appeals Judge

CONCUR:

Chris Cowan
Appeals Judge

Veronica L. Ruberto
Appeals Judge