

APPEAL NO. 042202
FILED OCTOBER 18, 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 August 17, 2004. The hearing officer determined that the appellant (claimant) sustained a compensable injury on _____; that the compensable injury extends to a lumbar sprain/strain, but not to thoracic sprain/strain, abdominal strain, or right epididymitis/orchitis; and that the claimant had disability from February 17, 2004, through the date of the hearing. The claimant appeals the extent-of-injury determination on sufficiency grounds. The respondent (carrier) urges affirmance of the hearing officer's decision. The injury and disability determinations have not been appealed and have become final pursuant to Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in making the extent-of-injury determination. The determination involved a question 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 determination is 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 are affirmed.

The true corporate name of the insurance carrier is **INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA** 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.**

Thomas A. Knapp
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Veronica L. Ruberto
Appeals Judge