

APPEAL NO. 042304  
FILED OCTOBER 26, 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: (1) pursuant to Section 408.007, the date of injury (DOI) is \_\_\_\_\_; (2) the appellant (claimant) did not sustain a compensable injury in the form of an occupational disease; and (3) the claimant did not have disability. The claimant appeals the injury and disability determinations on sufficiency of the evidence grounds. The respondent (carrier) urges affirmance. The hearing officer's DOI determination was not appealed and has become final. Section 410.169.

DECISION

Affirmed.

The hearing officer did not err in determining that the claimant did not sustain a compensable occupational disease injury and did not have disability. These 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 **STAR INSURANCE COMPANY** 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.**

---

Edward Vilano  
Appeals Judge

CONCUR:

---

Judy L. S. Barnes  
Appeals Judge

---

Margaret L. Turner  
Appeals Judge