

APPEAL NO. 042363  
FILED NOVEMBER 3, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A consolidated contested case hearing was held on August 24, 2004. The hearing officer determined that appellant (claimant) did not sustain a compensable injury on either (date of injury No. 1) or (date of injury No. 2), and claimant did not have disability as a result of either claimed injury. Claimant appeals these determinations on sufficiency of the evidence grounds. Respondent (carrier) urges affirmance.

DECISION

We affirm.

Whether claimant sustained a compensable injury on either (date of injury No. 1) or (date of injury No. 2), was a factual issue for the hearing officer to decide. There was conflicting evidence submitted on the disputed issues. Section 410.165(a) provides that the hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as of the weight and credibility that is to be given to the evidence. It was for the hearing officer, as trier of fact, to resolve the inconsistencies and conflicts in the evidence. Garza v. Commercial Insurance Company of Newark, New Jersey, 508 S.W.2d 701 (Tex. Civ. App.- Amarillo 1974, no writ). The trier of fact may believe all, part, or none of the testimony of any witness. Aetna Insurance Company v. English, 204 S.W.2d 850 (Tex. Civ. App.-Fort Worth 1947, no writ). Nothing in our review of the record indicates that the challenged determination is so against the great weight of the evidence as to be clearly wrong or manifestly unjust.

Because we are affirming the determinations that claimant did not sustain a compensable injury on either (date of injury No. 1) or (date of injury No. 2), we also affirm the hearing officer's determination that claimant did not have disability as a result of either claimed injury.

We note that in her brief, claimant mentioned a ruling regarding whether an issue should be added. However, claimant has not raised any error in this regard.

We affirm the hearing officer's decision and order.

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

**(NAME)**  
**(ADDRESS)**  
**(CITY), TEXAS (ZIP CODE)**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Thomas A. Knapp  
Appeals Judge

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Veronica L. Ruberto  
Appeals Judge