

APPEAL NO. 042401
FILED NOVEMBER 8, 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 September 8, 2004. The hearing officer determined that the respondent/cross-appellant (claimant) sustained a compensable injury on _____, and that the claimant does not have resulting disability due to the _____, compensable injury. The appellant/cross-respondent (carrier) appealed the injury determination on sufficiency of the evidence grounds. The appeal file does not contain a response from the claimant. The claimant appealed the disability determination on sufficiency of the evidence grounds and the carrier responded, urging affirmance of that determination.

DECISION

Affirmed.

Conflicting evidence was presented on the issues of whether the claimant sustained a compensable injury and whether she had disability. The hearing officer resolved the conflicts in the evidence by determining that the claimant did sustain a compensable injury, but that she failed to establish that she had disability as a result of the compensable injury. The hearing officer is the sole judge of the weight and credibility of the evidence. Section 410.165(a). As the finder of fact, the hearing officer resolves the conflicts in the evidence and determines what facts have been established. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). Nothing in our review of the record indicates that the hearing officer's determinations on the disputed issues are so against the great weight of the evidence as to be clearly wrong or manifestly unjust. Cain, *supra*.

The decision and order of the hearing officer are affirmed.

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

**GERARD BUTLER
2001 BRYAN STREET, SUITE 3400
DALLAS, TEXAS 75201-3068.**

Daniel R. Barry
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Veronica L. Ruberto
Appeals Judge