APPEAL NO. 030728
FILED MAY 13, 2003

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 February 19, 2003. The hearing officer resolved the disputed issue by deciding that the appellant's (claimant) compensable injury of _____, does not include an injury to the cervical area. The claimant appealed, and the respondent (carrier) responded.

DECISION

Affirmed.

It is undisputed that the claimant sustained a compensable injury to his right shoulder. Conflicting evidence was presented on the disputed issue of whether the compensable injury includes an injury to the cervical area. 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. We conclude that the hearing officer's decision that the compensable injury does not include an injury to the cervical area is supported by sufficient evidence and is not so against the great weight and preponderance of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175 (Tex. 1986).

We affirm the hearing officer's decision and order.

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

ROBERT RAMSOWER
THANKSGIVING TOWER
1601 ELM STREET, SUITE 1600
DALLAS, TEXAS 75201.

_____
Robert W. Potts
Appeals Judge

CONCUR:

_____
Thomas A. Knapp
Appeals Judge

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Edward Vilano
Appeals Judge

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