

APPEAL NO. 032521
FILED NOVEMBER 12, 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 (CCH) was held on August 25, 2003. The hearing officer resolved the disputed issues by deciding that the appellant's (claimant) compensable injury of _____, does not extend to include left shoulder arthrosis, tendonitis, or a rotator cuff tear; and that the claimant did not have disability resulting from the compensable injury of _____, from June 17 through December 16, 2002. The claimant appeals, contending that the evidence establishes that her compensable injury extends to include left shoulder arthrosis, tendonitis, and a rotator cuff tear, and that she had disability from June 17 through December 16, 2002. The respondent (self-insured) asserts that sufficient evidence supports the hearing officer's determinations on the disputed issues.

DECISION

Affirmed.

The claimant had the burden of proof on both disputed issues. Conflicting evidence was presented on the disputed issues at the CCH. 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. Although there is conflicting evidence in this case, we conclude that the hearing officer's decision is supported by sufficient evidence and that it 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 **(a certified self-insured)** 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.**

Robert W. Potts
Appeals Judge

CONCUR:

Margaret L. Turner
Appeals Judge

Edward Vilano
Appeals Judge