

APPEAL NO. 032484
FILED NOVEMBER 5, 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 June 4 and August 27, 2003. The hearing officer resolved the disputed issues by determining that the respondent (claimant) sustained a compensable injury in the form of an occupational disease with a date of injury of _____; that the claimant timely notified the appellant (self-insured) of her injury in accordance with Section 409.001; and that the claimant had disability from February 10 to February 25, 2003, and from March 17 to March 19, 2003. The self-insured appeals the hearing officer's determinations on the disputed issues of compensable injury, timely notice of injury, and disability. No response was received from the claimant.

DECISION

Affirmed.

The claimant had the burden to prove that she sustained a compensable injury in the form of an occupational disease, that she timely notified the self-insured of her injury pursuant to Section 409.001(a), and that she had disability as defined by Section 401.011(16). 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 determinations on the appealed issues are supported by sufficient evidence and are 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 self-insured governmental entity)** and the name and address of its registered agent for service of process is

**CR
(ADDRESS)
(CITY), TEXAS (ZIP CODE).**

Robert W. Potts
Appeals Judge

CONCUR:

Judy L. S. Barnes
Appeals Judge

Thomas A. Knapp
Appeals Judge