

COURT OF APPEALS OF VIRGINIA

Present: Judges Alston, Chafin and Senior Judge Haley

NEW BELL TRUCK LINES, INC. AND
GREAT WEST CASUALTY COMPANY

v. Record No. 0499-16-2

DANNY JENKINS

MEMORANDUM OPINION*
PER CURIAM
JULY 12, 2016

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Brandi R. Howell; Franklin & Prokopik, P.C., on brief), for
appellants.

(Seth R. Carroll; Commonwealth Law Group, LLC, on brief), for
appellee.

New Bell Truck Lines, Inc. and Great West Casualty Company (employer) appeal a decision of the Workers' Compensation Commission (Commission) finding that Danny Jenkins (claimant) was an employee of employer, finding that claimant suffered a compensable injury by accident arising out of his employment, and awarding medical and disability benefits for his compensable injuries. On appeal, employer contends the Commission erred in finding: (1) claimant was an employee and not an independent contractor; (2) claimant sustained a compensable injury by accident that arose out of claimant's employment; and (3) employer is not entitled to a credit for payments made to claimant through the Occupational Accident disability policy. We have reviewed the record and the Commission's opinion and find that this appeal is without merit. Accordingly, we affirm for the reasons stated by the Commission in its final opinion. See Jenkins v. New Bell Truck Lines, Inc., VWC File No. VA02000018290 (Feb. 25,

* Pursuant to Code § 17.1-413, this opinion is not designated for publication.

2016). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately presented in the materials before the Court and argument would not aid the decisional process. See Code § 17.1-403; Rule 5A:27.

Affirmed.