

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Beales and Senior Judge Annunziata

COMMUNITY RESIDENCES, INC. AND
TECHNOLOGY INSURANCE COMPANY

v. Record No. 2572-11-2

ESTELLE B. RICE

MEMORANDUM OPINION*
PER CURIAM
MAY 29, 2012

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(S. Vernon Priddy III; Two Rivers Law Group, P.C., on brief), for
appellants.

(William B. Keown; Gordon, Dodson, Gordon & Rowlett, on brief),
for appellee.

Community Residences, Inc. and Technology Insurance Company (hereinafter referred to as employer) appeal a decision of the Workers' Compensation Commission finding Estelle B. Rice (claimant) performed work with employer that was substantially similar to her employment with another employer and that she proved that she suffered compensable injuries to her right knee, neck, and both hands resulting in total disability beginning November 19, 2009. Employer contends the commission erred by (1) finding claimant's employments with both employers "were substantially similar and, therefore, calculating her average weekly wage based upon her earnings from both employers," (2) finding claimant was totally disabled and that such disability was related to her industrial accident, and (3) "refusing to find that [claimant] failed to market her residual capacity adequately."

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

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 Rice v. Community Residences, Inc., JCN VA000-0019-0953 (Nov. 21, 2011). 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.