

COURT OF APPEALS OF VIRGINIA

Present: Judges Bumgardner, Kelsey and Senior Judge Hodges

FLOYD COUNTY SCHOOL BOARD AND
VSBA WORKERS' COMP GROUP/
ACORDIA EMPLOYERS SERVICE

v. Record No. 3020-03-3

RANDALL WOOLWINE

MEMORANDUM OPINION*
PER CURIAM
MARCH 16, 2004

RANDALL WOOLWINE

v. Record No. 3046-03-3

FLOYD COUNTY SCHOOL BOARD AND
VSBA WORKERS' COMP GROUP/
ACORDIA EMPLOYERS SERVICE

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Ramesh Murthy; Lisa Frisina Clements; PennStuart, on briefs), for
Floyd County School Board and VSBA Workers' Comp
Group/Acordia Employers Service.

(Brenda C. Moses; Montgomery & Moses, PC, on brief), for Randall
Woolwine in Record No. 3020-03-3.

(Randall W. Woolwine, *pro se*, on brief), in Record No. 3046-03-3.

Floyd County School Board and its insurer (hereinafter referred to as "employer") appeal a decision of the Workers' Compensation Commission finding that Randall Woolwine's (claimant) current medical condition and treatment are related to his compensable March 6, 2002 injury by accident and that Drs. Glen L. Sublette and Kevin Kelleher are authorized treating physicians and that any referrals made by those physicians for treatment that is causally related

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

to the March 6, 2002 injury by accident, are the employer's responsibility. In his cross-appeal, Woolwine appeals the commission's findings that he failed to prove he was totally disabled beginning December 12, 2002 and that even if he proved he was partially disabled as of that date, he failed to prove he made a reasonable effort to market his remaining work capacity. We have reviewed the record and the commission's opinion and find no reversible error.

Accordingly, we affirm for the reasons stated by the commission in its final opinion. See Woolwine v. Floyd (County of) School Board, VWC File No. 209-02-00 (Oct. 23, 2003). We dispense with oral argument and summarily affirm with respect to the issues raised in both appeals 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:27.¹

Affirmed.

¹ We deny employer's Motion to Dismiss Record Number 3046-03-3 as claimant's brief was timely filed. In addition, we deny claimant's request to expedite this case.