

COURT OF APPEALS OF VIRGINIA

Present: Judges Benton, Haley and Senior Judge Coleman

TOWN OF COEBURN AND
VIRGINIA MUNICIPAL GROUP
SELF-INSURANCE ASSOCIATION

v. Record No. 0610-06-3

WESLEY R. SIGMON

MEMORANDUM OPINION*
PER CURIAM
OCTOBER 17, 2006

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(John R. Sigmond; Penn, Stuart & Eskridge, on brief), for
appellants.

(D. Allison Mullins; Lee & Phipps, P.C., on brief), for appellee.

The Town of Coeburn and its insurer (hereinafter referred to as “employer”) contend the Workers’ Compensation Commission erred when it found that (1) Wesley R. Sigmon proved his back injury and resulting disability were causally related to his compensable April 20, 2005 injury by accident; (2) the evidence proved Eric Bryant was in a supervisory capacity over Sigmon; (3) Sigmon proved employer had actual notice of the accident thereby satisfying the requirements of Code § 65.2-600; and (4) employer failed to prove any prejudice associated with Sigmon’s failure to provide written notice of the accident within thirty days of its occurrence. We have reviewed the record and the commission’s opinion and hold that this appeal is without merit. Accordingly, we affirm the commission’s award for the reasons stated by the commission in its final opinion. See Sigmon v. Coeburn (Town of), VWC File No. 224-03-48 (May 10, 2006). We dispense with oral argument and summarily affirm because the facts and legal

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

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.