

COURT OF APPEALS OF VIRGINIA

Present: Judges Bumgardner, Kelsey and Senior Judge Hodges

ARROTE T. WILLIS

v. Record No. 1358-05-3

THE GOODYEAR TIRE AND RUBBER COMPANY  
AND LIBERTY INSURANCE CORPORATION

MEMORANDUM OPINION\*  
PER CURIAM  
OCTOBER 4, 2005

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Philip B. Baker; Sanzone & Baker, P.C., on brief), for appellant.

(James A.L. Daniel; M. Brent Saunders; Daniel, Vaughan, Medley & Smitherman, P.C., on brief), for appellees.

Arrote T. Willis (claimant) appeals a decision of the Workers' Compensation Commission finding that he failed to prove he sustained a compensable injury by accident on June 27, 2002, but rather his condition was caused by non-compensable repetitive and cumulative trauma. Claimant also contends the commission erred in allowing into evidence (1) the opinions of Dr. J. Gordon Burch based upon a videotape; and (2) testimony about claimant's prior elbow injury. 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 Willis v. The Goodyear Tire and Rubber Company, VWC File No. 212-84-75 (May 6, 2005). 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.

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