

COURT OF APPEALS OF VIRGINIA

Present: Judge McClanahan, Senior Judges Coleman and Annunziata

S.W. DAY CONSTRUCTION CORPORATION AND
PENNSYLVANIA GENERAL INSURANCE COMPANY

v. Record No. 1965-04-1

JOEL S. COPLON

MEMORANDUM OPINION*
PER CURIAM
JANUARY 18, 2005

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Iris W. Redmond; Midkiff, Muncie & Ross, P.C., on brief), for
appellants.

(Alan P. Owens, on brief), for appellee.

S.W. Day Construction Corporation and its insurer (hereinafter referred to as “employer”) appeal a decision of the Workers’ Compensation Commission finding that employer failed to meet its burden of proving that Joel S. Coplon (1) refused to cooperate with vocational rehabilitation; and (2) unjustifiably refused a bona fide offer of selective employment. 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 Coplon v. S.W. Day Construction Corporation, VWC File No. 202-22-54 (Aug. 11, 2004). 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.

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