

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, McClanahan and Senior Judge Willis

JANICE G. BROWN

v. Record No. 1971-07-3

TJ ENTERPRISES, INC. AND  
COMPANION PROPERTY AND  
CASUALTY INSURANCE COMPANY

MEMORANDUM OPINION\*  
PER CURIAM  
AUGUST 26, 2008

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Janice G. Brown, *pro se*, on brief).

(Richard S. Sperbeck; Angela F. Gibbs; Midkiff, Muncie & Ross,  
P.C., on brief), for appellee Companion Property and Casualty  
Insurance Company.

No brief for appellee TJ Enterprises, Inc.

Janice G. Brown (claimant) appeals a decision of the Workers' Compensation Commission (1) denying her claim seeking payment for medical treatment by Dr. Glenn Deputy on the ground that such claim was barred by the doctrine of *res judicata*; (2) denying her claim seeking payment for medical treatment by Dr. Richard P. Lango on the ground that such treatment resulted from the unauthorized referral by Dr. Deputy and pertains to the non-compensable testing for, and symptoms of, multiple sclerosis or a demyelinating disease; and (3) finding that even, assuming *arguendo*, the issue of Dr. Deputy's medical treatment had

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

not already been determined with finality, claimant failed to sustain her burden of proving such treatment was causally related to her compensable November 1, 2002 injury by accident.<sup>1</sup>

Notwithstanding claimant's failure to comply with the requirements of Rule 5A:20 with respect to her opening brief, 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 Brown v. TJ Enterprises, Inc., VWC File No. 212-44-54 (July 10, 2007).

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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<sup>1</sup> The commission declined to address any remaining issues raised by claimant, as the deputy commissioner denied the claim on issues of causation and the bar of *res judicata*, and, therefore, any remaining issues would not change the outcome.