

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, Huff and Senior Judge Haley

COLONIAL BEACH PUBLIC SCHOOLS AND
VIRGINIA ASSOCIATION OF COUNTIES
GROUP SELF-INSURANCE

v. Record No. 0176-14-3

BEVERLY E. HORNER

MEMORANDUM OPINION*
PER CURIAM
MAY 27, 2014

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(J. David Griffin; Winchester Law Group, P.C., on brief), for
appellants.

No brief for appellee.

Colonial Beach Public Schools and its insurer (appellants) appeal a decision of the Workers' Compensation Commission finding that Beverly E. Horner (appellee) was entitled to an award of benefits based on a fall arising out of her employment. Appellants contend the commission erred by (1) awarding temporary total disability benefits without proper evidence or request for such relief; (2) finding that a sloped sidewalk is a defective sidewalk; (3) finding an act of turning on a sidewalk is a risk peculiar to employment and not a common neighborhood risk; (4) finding an act of turning on a sloped sidewalk is a risk peculiar to employment and not a common neighborhood risk; and (5) disregarding the contemporaneous evidence following the accident that appellee did not know why she fell. 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 Horner v. Colonial Beach Pub. Schs.,

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

VWC File No. VA00000566524 (Jan. 14, 2014). 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.