

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Beales and Senior Judge Annunziata

JOAN L. KNOWLES

v. Record No. 0015-10-3

SOUTHSIDE COMMUNITY ACTION AND
AIG CASUALTY (AMERICAN HOME
ASSURANCE COMPANY)

MEMORANDUM OPINION*
PER CURIAM
JUNE 29, 2010

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Joan L. Knowles, *pro se*, on brief).

(S. Vernon Priddy III; Two Rivers Law Group, P.C., on brief), for
appellees.

Joan L. Knowles (claimant) appeals a decision of the Workers' Compensation Commission finding she was not entitled to a permanent partial disability award and medical benefits associated with her left leg and/or knee because her claim was barred by the statute of limitations. Claimant filed a letter with the Court asserting "she agrees with Deputy Commissioner Blevins'" April 2, 2009 opinion. She also stated that her knees and legs were hurting.

Upon receiving claimant's brief, the Court instructed claimant that her brief failed to comply with Rules 5A:20(c) and (d), and instructed her to submit a set of replacement pleadings. Claimant requested an extension to file replacement pleadings, which was granted. That extension has passed and claimant has not filed a set of replacement pleadings.

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

Rule 5A:20(c) requires a “statement of the questions presented with a clear and exact reference to the page(s) of the transcript, written statement, record, or appendix where each question was preserved in the [commission].” Rule 5A:20(d) requires “[a] clear and concise statement of the facts that relate to the questions presented, with references to the pages of the transcript, written statement, record, or appendix.” Rule 5A:20(e) mandates that claimant’s opening brief include “[t]he principles of law, the argument, and the authorities relating to each question presented.” Moreover, we have previously stated that “[a] court of review is entitled to have the issues clearly defined and to be cited pertinent authority.” Fadness v. Fadness, 52 Va. App. 833, 850, 667 S.E.2d 857, 865 (2008) (quoting Jones v. Commonwealth, 51 Va. App. 730, 734, 660 S.E.2d 343, 345 (2008)).

Despite receiving an extension from the Court, claimant failed to present any specific questions for review, provide reference to where the question(s) were preserved in the proceedings before the commission, provide a clear and concise statement of facts, or cite any principles of law, argument, or authorities relating to her issue(s), in violation of Rules 5A:20(c), (d), and (e).

We find claimant’s failure to comply with Rules 5A:20(c), (d), and (e) is significant, so we will not consider her arguments. See Jay v. Commonwealth, 275 Va. 510, 520, 659 S.E.2d 311, 317 (2008) (holding that where an appellant’s failure to cite any legal authority as required by Rule 5A:20(e) is “significant,” the Court may treat the issue as waived). Accordingly, the issues are waived and the final judgment of the commission is summarily affirmed. Rule 5A:27. See Knowles v. Southside Community Action, VWC File No. 223-17-28 (Nov. 24, 2009).

Affirmed.