

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, O'Brien and Senior Judge Bumgardner

BIG LOTS STORES, INC. AND
ARCH INSURANCE COMPANY

v. Record No. 0206-15-2

HOWARD CLUTE

MEMORANDUM OPINION*
PER CURIAM
JUNE 9, 2015

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Nicholas P. Marrone; Semmes, Bowen & Semmes, P.C., on brief),
for appellants.

(Michael J. Beste; Reinhardt Harper Davis, PLC, on brief), for
appellee.

Big Lots Stores, Inc. and Arch Insurance Company (collectively “employer”) appeal the decision of the Workers’ Compensation Commission (“commission”) awarding Howard Clute (“claimant”) a medical award for a right knee injury. On appeal, employer argues the commission erred in determining claimant’s benefits for the right knee injury was not barred by the doctrine of res judicata. We have reviewed the record and the commission’s opinions and find that this appeal is without merit. Accordingly, we affirm for the reasons stated by the commission in its opinions. See Clute v. Big Lots Stores, Inc., JCN VA00000420654 (June 5, 2014 and Jan. 14, 2015). 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.