

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Alston and Senior Judge Coleman

REBECCA N. WHITTINGTON

v. Record No. 0335-13-2

VIRGINIA RETIREMENT SYSTEM

MEMORANDUM OPINION\*  
PER CURIAM  
JULY 16, 2013

FROM THE CIRCUIT COURT OF SPOTSYLVANIA COUNTY  
David H. Beck, Judge

(John Barry Donohue, Jr., on briefs), for appellant.

(Kenneth T. Cuccinelli, II, Attorney General; Brian J. Goodman,  
Legal Affairs & Compliance Coordinator, on brief), for appellee.

Rebecca N. Whittington appeals a decision of the Circuit Court of Spotsylvania County affirming the final case decision of the Virginia Retirement System (VRS) denying her claim for disability retirement benefits. On appeal, Whittington contends the circuit court erred in: (1) affirming the decision of VRS because such denial was not supported by substantial evidence or by substantial evidence on the whole record; (2) denying her request to reverse the decision of VRS denying her application for disability retirement benefits because such denial was not supported by substantial evidence or by substantial evidence on the whole record; and (3) denying her application for reasonable costs and attorney's fees because she should have prevailed on her claim for disability retirement benefits. We have reviewed the record, VRS's final case decision, and the final decision of the circuit court, and find no reversible error. Accordingly, we affirm for the reasons fully set forth by the circuit court in its final order incorporating its bench ruling of January 16, 2013. See Whittington v. Virginia Retirement System, Case No. CL11-1330 (Jan. 29, 2013). We

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

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.