

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, Alston and Senior Judge Coleman

D & C SHEET METAL, INC. AND
FIRSTCOMP INSURANCE COMPANY

v. Record No. 0981-11-4

ELVIN STEVEN BETANCO

MEMORANDUM OPINION*
PER CURIAM
SEPTEMBER 27, 2011

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Lynn McHale Fitzpatrick; Franklin & Prokopik, P.C., on brief), for
appellants.

(Andrew S. Kasmer, on brief), for appellee.

D & C Sheet Metal, Inc. and FirstComp Insurance Company (hereinafter referred to as employer) appeal a decision of the Workers' Compensation Commission finding that Elvin Betanco (claimant) was totally disabled beginning September 16, 2009 and had not suffered an intervening accident in March 2009, as alleged by employer. Employer contends the commission erred 1) in determining that claimant was totally disabled, 2) in finding that claimant's medical treatment and disability were causally related to his November 2, 2006 work-related injury, and 3) by finding claimant was not capable of performing light-duty work. 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 Betanco v. D & C Sheet Metal, Inc., VWC File No. 230-88-25 (Apr. 15, 2011). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately

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

presented in the materials before the Court and argument would not aid the decisional process.

See Code § 17.1-403; Rule 5A:27.

Affirmed.