

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, Alston and Senior Judge Coleman

GIANT FOOD, LLC AND
AHOLD USA, INC.

v. Record No. 1006-10-4

JOSEPH MARK CASAMENTO

MEMORANDUM OPINION*
PER CURIAM
SEPTEMBER 21, 2010

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

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

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

Giant Food, LLC and Ahold USA, Inc. appeal a decision of the Workers' Compensation Commission finding (1) it failed to prove Joseph Mark Casamento (claimant) was released to full duty work on July 16, 2008; and (2) claimant's current disability is attributable to his workplace accident and not a 2008 motorcycle accident. 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 Casamento v. Giant Food, LLC #798, VWC File No. 229-55-94 (Apr. 13, 2010). 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.