

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, McCullough and Senior Judge Bumgardner

STEVEN WAYNE SMITH

v. Record No. 1532-12-3

CROWN CONSTRUCTION
MANAGEMENT SERVICES, INC. AND
ERIE INSURANCE EXCHANGE

MEMORANDUM OPINION*
PER CURIAM
DECEMBER 26, 2012

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(James A. L. Daniel; Daniel, Medley & Kirby, P.C., on briefs), for
appellant.

(Richard D. Lucas; Lucas & Kite, PLC, on brief), for appellees.

Steven Wayne Smith appeals a decision of the Workers' Compensation Commission (the commission) awarding him benefits. On appeal, Smith contends the commission erred in finding: (1) he suffered a new injury to his cervical spine in May 2009; (2) his current neck symptoms were not caused by the December 29, 2007 accident; and (3) the deputy commissioner's award of medical benefits for any injuries to his head was improper. Crown Construction Management Services, Inc., and Erie Insurance Exchange argue the commission erred in awarding Smith indemnity benefits during the period of October 27, 2009 through June 30, 2011. 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 Smith v. Crown Constr. Mgmt. Servs., Inc., JCN 237-00-77 (Aug. 10, 2012). We dispense with oral argument and summarily affirm because the facts and legal contentions are

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

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.