

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, Beales and Senior Judge Fitzpatrick

HENRY COUNTY PALLET COMPANY, INC. AND
FORESTRY MUTUAL INSURANCE COMPANY

v. Record No. 2199-06-2

MARCELO H. VAZQUES

MEMORANDUM OPINION*
PER CURIAM
JANUARY 30, 2007

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(R. Ferrell Newman; Newman & Wright, RLLP, on brief), for
appellants.

(J. William Snyder, Jr.; Crumley & Associates, P.C., on brief), for
appellee.¹

Henry County Pallet Company, Inc. and its insurer appeal a decision of the Workers' Compensation Commission finding that (1) Marcelo H. Vazques (claimant) was not required to prove a change in condition since Deputy Commissioner Link's February 7, 2005 opinion denying his previous request for a myoelectric prosthetic arm; (2) the myoelectric arm is reasonable and necessary medical treatment for claimant's compensable right arm injury; and (3) his claim was not barred by the doctrine of res judicata. 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 Vazques v. Henry County Pallet Company, Inc., VWC File No. 217-62-06 (Aug. 2, 2006). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately presented in the

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

¹ Appellee's brief was not timely filed.

materials before the Court and argument would not aid the decisional process. See Code
§ 17.1-403; Rule 5A:27.

Affirmed.