

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, McCullough and Senior Judge Bumgardner

EARNEST COLLINS

v. Record No. 0014-13-3

LEBO MINING CO. AND
COMMERCE AND INDUSTRY INSURANCE COMPANY

MEMORANDUM OPINION*
PER CURIAM
APRIL 23, 2013

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Stephen W. Mullins, on brief), for appellant.

(S. Vernon Priddy III; Sarah Y.M. Himmel; Two Rivers Law Group,
P.C., on brief), for appellees.

Earnest Collins (claimant) appeals a decision of the Workers' Compensation Commission awarding him medical benefits pursuant to Code § 65.2-603 for the occupational disease of coal worker's pneumoconiosis and affirming the deputy commissioner's denial of compensation for the occupational disease pursuant to Code § 65.2-504(A)(1). Claimant contends the commission erred by denying him compensation under Code § 65.2-504(A)(1).

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 Collins v. Lebo Mining Co., JCN VA020-0000-4732 (Dec. 3, 2012). 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.