

## COURT OF APPEALS OF VIRGINIA

Present: Judges Alston, Decker and Senior Judge Coleman

ETON A. THOMAS

v. Record No. 0041-14-4

LSG SKY CHEFS DEUTSCHE LUFTHANSA AND  
LIBERTY INSURANCE CORPORATION

MEMORANDUM OPINION\*  
PER CURIAM  
MAY 20, 2014

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Eton A. Thomas, *pro se*, on brief).

(Gregory V. Chestnut, on brief), for appellee.

Eton A. Thomas (claimant) appeals the decision of the Workers' Compensation Commission (commission) dismissing claimant's request for review of the deputy commissioner's opinion because it lacked jurisdiction since he failed to timely file his request for review. On appeal, claimant argues that (1) the attorney for LSG Sky Chefs (employer) misrepresented to the deputy commissioner that claimant was born in Guatemala, but he was born in British Guiana; (2) employer's attorney's arguments to the deputy commissioner were based upon claimant's lifestyle in Guatemala, but he never lived in Guatemala; (3) employer's attorney manipulated the testimony before the deputy commissioner by falsely claiming claimant's life in Guatemala caused a pre-existing eye condition; (4) the deputy commissioner erred in finding that claimant's pterygium was caused by exposure to sunlight in Guatemala and not from working in the sun on the roofs of employer's buildings; (5) the commission erred in denying claimant a full and fair hearing; (6) the commission erred in not considering all the

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

circumstances and the direct causal relationship to establish the true origin of claimant's pterygium; (7) the commission erred in failing to issue subpoenas for the inspection logs of claimant's job site; (8) the deputy commissioner erred in relying upon United Airlines v. Walter, 24 Va. App. 394, 482 S.E.2d 849 (1997); and (9) the commission erred in determining claimant failed to timely file a request for review and in dismissing his case.

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 Thomas v. LSG Sky Chefs, VWC File No. VA00000477872 (Dec. 9, 2013). 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.