

COURT OF APPEALS OF VIRGINIA

Present: Chief Judge Moon, Judge Bray and Senior Judge Hodges

LISA RAMONA PENDLETON

v. Record No. 0101-95-2

MEMORANDUM OPINION*

PER CURIAM

TRI-DIM FILTER CORPORATION

NOVEMBER 21, 1995

AND

CONTINENTAL INSURANCE COMPANY

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

Patricia M. Brady for appellant.

Steven H. Theisen (Midkiff & Hiner, on brief),
for appellees.

Lisa R. Pendleton appeals a decision of the Workers' Compensation Commission denying her application seeking compensation for an occupational disease on the basis that she failed to prove that her bilateral carpal tunnel syndrome was a disease within the meaning of "disease" under the Workers' Compensation Act ("the Act"). We reverse the commission's decision based upon our holding in Perdue Farms, Inc. v. McCutchan, 21 Va. App. 65, 461 S.E.2d 431 (1995).

We recently held in Perdue, that the general medical definition of carpal tunnel syndrome places it within the definition of disease set forth in Piedmont Mfg. Co. v. East, 17 Va. App. 499, 503, 438 S.E.2d 769, 772 (1993). Perdue, 21 Va. App. at 68, 461 S.E.2d at 435. As in Perdue, Pendleton's

*Pursuant to Code § 17-116.010 this opinion is not designated for publication.

condition did not present as an obvious, sudden, mechanical or structural change in her body. Based upon our holding in Perdue, we conclude that Pendleton's bilateral carpal tunnel syndrome is a "disease" within the meaning of the Act.

Accordingly, we reverse the commission's decision and remand this case for the commission to consider whether Pendleton's condition arose out of and in the course of her employment as required by the Act.

Reversed and remanded.