

COURT OF APPEALS OF VIRGINIA

Present: Judges Annunziata, McClanahan and Senior Judge Coleman

GREGORY A. WIMBUSH

v. Record No. 0539-04-3

ZENITH LOGISTICS AND
FIRE & CASUALTY INSURANCE
COMPANY OF CONNECTICUT

MEMORANDUM OPINION*
PER CURIAM
JULY 13, 2004

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Robert A. Williams; Williams, Luck & Williams, on briefs), for
appellant.

(Richard D. Lucas; Lucas Law Firm, PLC, on brief), for appellees.

Gregory A. Wimbush (claimant) appeals a decision of the Workers' Compensation Commission finding that his Request for Review, which was sent via certified mail to an incorrect address, was not timely filed and, therefore, the commission did not have jurisdiction to hear claimant's appeal. We have reviewed the record and the commission's opinion and find no reversible error. Accordingly, we affirm for the reasons stated by the commission in its final opinion. See Wimbush v. Zenith Logistics, VWC File No. 213-03-42 (Feb. 24, 2004). 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.