

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Beales and Senior Judge Annunziata

GARY L. POEHLER

v. Record No. 0617-09-4

P. J. DICK, INC. AND
AMERICAN ZURICH INSURANCE COMPANY

MEMORANDUM OPINION*
PER CURIAM
SEPTEMBER 8, 2009

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Gary L. Poehler, *pro se*, on briefs).

(Charles F. Midkiff; Rachel A. Riordan; Midkiff, Muncie & Ross,
P.C., on brief), for appellees.

On appeal from a decision of the Workers' Compensation Commission, Gary L. Poehler contends (1) the commission erred in finding that he unjustifiably refused a bona fide offer of employment, (2) the commission erroneously relied on medical records from someone other than his treating physician, and (3) employer misled the commission in explaining appellant's restrictions for light-duty work. P. J. Dick, Inc. and American Zurich Insurance Company contend the commission did not err in concluding Poehler unjustifiably refused a bona fide offer of light-duty employment. 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 Poehler v. PJ Dick, Inc., VWC File No. 223-66-09 (Feb. 27, 2009). We dispense with oral argument and summarily affirm because the facts and legal

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

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.