

COURT OF APPEALS OF VIRGINIA

Present: Judges Baker, Elder and Fitzpatrick

COMMONWEALTH OF VIRGINIA/
DEPARTMENT OF SOCIAL SERVICES

v. Record No. 0640-96-2

VIRGINIA B. TYSON

MEMORANDUM OPINION*
PER CURIAM
JULY 9, 1996

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(James S. Gilmore, III, Attorney General;
Gregory Lucyk, Senior Assistant Attorney
General; Ingrid Olson, Assistant Attorney
General, on brief), for appellant.
Appellant submitting on brief.

No brief for appellee.

The Department of Social Services contends that the Workers' Compensation Commission erred in finding that Virginia B. Tyson's carpal tunnel syndrome qualifies as an occupational "disease" under the Workers' Compensation Act ("the Act").

This appeal is controlled by the Supreme Court's decision in Stenrich Group v. Jemmott, 251 Va. 186, 199, 467 S.E.2d 795, 802 (1996) (holding that "job-related impairments resulting from cumulative trauma caused by repetitive motion, however labeled or however defined, are, as a matter of law, not compensable under the present provisions of the Act").

Accordingly, we reverse the commission's decision.

Reversed.

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

