

COURT OF APPEALS OF VIRGINIA

Present: Judges Alston, Chafin and Senior Judge Haley

BRIAN GROGAN

v. Record No. 0659-15-2

VIRGINIA AIRLINK, LLC AND
UNINSURED EMPLOYER'S FUND

MEMORANDUM OPINION*
PER CURIAM
FEBRUARY 9, 2016

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Brian Grogan, *pro se*, on briefs).

(Michael P. Del Bueno; Megan A. Kerwin; Whitt & Del Bueno, PC,
on brief), for appellee Virginia Airlink, LLC.

(Arthur T. Aylward; David A. Obuchowicz; Midkiff, Muncie, and
Ross, P.C., on brief), for appellee Uninsured Employer's Fund.

Brain Grogan (claimant) appeals the decision of the Workers' Compensation Commission (Commission) finding that he was not entitled to disability and medical benefits because he was not an employee of Virginia Airlink, LLC (Airlink). On appeal, claimant argues the deputy commissioner erred in applying case law, state and federal regulations, and the common law and the review by the Commission was "erroneous on the statement of fact, regulation, and law." 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 opinion. See Grogan v. Virginia Airlink, LLC, JCN VA02000017332 (Mar. 30, 2015).¹ We dispense with oral argument and summarily affirm because the facts and legal contentions are

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

¹ On May 22, 2015, Airlink filed a motion to dismiss the appeal because claimant failed to comply with Rules 5A:1(D), 5A:11(B), and 5A:25(D). We deny the motion to dismiss.

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.