

COURT OF APPEALS OF VIRGINIA

Present: Judges Alston, Chafin and Senior Judge Haley

REPUBLIC SERVICES OF VIRGINIA, LLC
AND INDEMNITY INSURANCE COMPANY
OF NORTH AMERICA

v. Record No. 0696-16-4

GEORGE P. OPOKU

MEMORANDUM OPINION*
PER CURIAM
AUGUST 9, 2016

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Stephanie S. Ryan; Ryan Law, PLLC, on brief), for appellants.

(W. David Falcon, Jr.; Michael Herdman; Chasen & Boscolo, P.C.,
on brief), for appellee.

Republic Services of Virginia, LLC ("employer") appeals from an April 5, 2016 opinion of the Workers' Compensation Commission. The Commission affirmed a deputy commissioner's opinion finding that George P. Opoku ("claimant") sustained a compensable injury by accident and that his claim was not barred by willful misconduct. On appeal, employer contends the Commission erred by (1) concluding employer failed to prove claimant willfully breached a safety rule, (2) affirming the deputy commissioner's "creation of an exception to the safety rule," (3) affirming the deputy commissioner's discovery rulings, and (4) finding claimant proved a compensable injury by accident.

Upon reviewing the record and briefs, we conclude that this appeal is without merit. Accordingly, we summarily affirm the Commission's decision. Rule 5A:27. We affirm for the reasons stated by the Commission in its final opinion. See Opoku v. Republic Servs. of Va.,

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

LLC, JCN VA00001057847 (Apr. 5, 2016). 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.