

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Clements and Senior Judge Annunziata

MICHAEL SUGGS

v. Record No. 0797-08-4

SOUTHLAND CONCRETE CORPORATION AND
AMERICAN HOME ASSURANCE COMPANY/
AIG DOMESTIC CLAIMS, INC.

MEMORANDUM OPINION*
PER CURIAM
AUGUST 5, 2008

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(W. David Falcon, Jr.; Chasen Boscolo, on brief), for appellant.

(Jimese Pendergraft Sherrill; Alex M. Mayfield; Jordan Coyne &
Savits, L.L.P., on brief), for appellees.

Michael Suggs appeals a decision of the Workers' Compensation Commission finding that his claim was barred by his willful misconduct pursuant to Code § 65.2-306, specifically its finding that Southland Concrete Corporation and its insurer proved claimant's intoxication was a proximate cause of his injuries. 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 Suggs v. Southland Concrete Corp., VWC File No. 232-53-50 (Feb. 29, 2008). 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.