

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, Huff and Senior Judge Haley

EG&G TECHNICAL SERVICES, INC. AND
INSURANCE COMPANY OF THE
STATE OF PENNSYLVANIA

v. Record No. 0834-12-4

CHERYL L. TIFFANY

MEMORANDUM OPINION*
PER CURIAM
SEPTEMBER 4, 2012

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Kathryn Spruill Lingle; Midkiff, Muncie & Ross, P.C., on brief), for
appellants.

(Craig A. Brown; Ashcraft & Gerel, LLP, on brief), for appellee.

EG&G Technical Services, Inc. (hereinafter referred to as employer) appeals a decision of the Workers' Compensation Commission reversing the deputy commissioner's opinion and reinstating disability benefits to Cheryl L. Tiffany (claimant). Employer contends the commission erred by 1) finding the medical evidence did not provide sufficient information to determine if claimant had been released to perform her pre-injury job duties, 2) finding employer had the burden of establishing claimant's treating physician was familiar with her pre-injury job duties, and 3) "placing the burden of proof on [employer] to prove that [claimant's] non-work related conditions did not prevent a return to work." 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 Tiffany v. EG&G Technical Servs., Inc., VWC File No. JCN VA000-0031-3183 (Apr. 9, 2012). We dispense with oral argument

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

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.