

COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Petty and Senior Judge Bumgardner

ALLIED WASTE INDUSTRIES, INC. AND
ZURICH AMERICAN INSURANCE COMPANY

v. Record No. 0872-11-4

JAMES ASHBY

MEMORANDUM OPINION*
PER CURIAM
AUGUST 30, 2011

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

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

(Robert B. Guntharp; Ritchie Law Firm, P.L.C., on brief), for
appellee.

Allied Waste Industries, Inc. and Zurich American Insurance Company appeal a decision of the Workers' Compensation Commission finding that James Ashby's claim was not barred by willful misconduct. 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 Ashby v. Allied Waste Indust., VWC File No. VA000-0006-9121 (Mar. 29, 2011). 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.