

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, McClanahan and Senior Judge Willis

JAMES J. RIXNER

v. Record No. 0931-06-2

RICHMOND (CITY OF) FIRE DEPARTMENT

MEMORANDUM OPINION*
PER CURIAM
AUGUST 15, 2006

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Jamie L. Karek; Geoffrey R. McDonald & Associates, P.C., on
brief), for appellant.

(Angela C. Fleming; Midkiff, Muncie & Ross, P.C., on brief), for
appellee.

James J. Rixner appeals a decision of the Workers' Compensation Commission finding that he failed to prove the communication of an occupational disease on August 5, 2003. 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 Rixner v. Richmond (City of) Fire Department, VWC File No. 215-42-36 (Mar. 15, 2006). 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.