

## COURT OF APPEALS OF VIRGINIA

Present: Judges Petty, Chafin and Senior Judge Annunziata

WINN RESIDENTIAL LIMITED PARTNERSHIP  
AND WAUSAU UNDERWRITERS  
INSURANCE COMPANY

v. Record No. 0957-13-2

EMORY ARRINGTON

MEMORANDUM OPINION\*  
PER CURIAM  
SEPTEMBER 3, 2013

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(John T. Cornett, Jr.; Daniel E. Lynch & Associates, P.C., on brief),  
for appellants.

(Malcolm Parks; Maloney, Parks & Clarke, P.C., on brief), for  
appellee.

Winn Residential Limited Partnership and its insurer (hereinafter referred to as employer) appeal an April 26, 2013 decision of the Workers' Compensation Commission reversing the deputy commissioner's denial of benefits to Emory Arrington (claimant). Employer contends the commission erred in 1) "finding that the claimant suffered an accident as defined by the Workers' Compensation Act," 2) "awarding the claimant benefits pursuant to the Act as he failed to prove that he sustained an injury by accident," and 3) "awarding the claimant benefits without addressing the issue of whether the claimant suffered an injury as a result of such accident."

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 Arrington v. Winn Residential Ltd. P'ship, JCN VA000-0042-8245 (Apr. 26, 2013). We dispense with oral argument and summarily affirm because the facts and legal

---

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

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.