

COURT OF APPEALS OF VIRGINIA

Present: Judges Bumgardner, Kelsey and Senior Judge Hodges

ROY LeJUENE McDANIEL

v. Record No. 1142-05-4

TYSON FOODS, INC.

MEMORANDUM OPINION*
PER CURIAM
SEPTEMBER 13, 2005

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Roy LeJuene McDaniel, *pro se*, on brief).

(R. Ferrell Newman; Evelyn G. Tucker; Thompson, Smithers,
Newman & Wright, on brief), for appellee.

Roy LeJuene McDaniel appeals a decision of the Workers' Compensation Commission finding that his misrepresentations regarding his medical history during the job application process with Tyson Foods, Inc. precluded him from receiving benefits under the Workers' Compensation Act for an accidental injury that occurred on July 18, 2003. We have reviewed the record and the commission's opinion and find no reversible error. Accordingly, we affirm for the reasons stated by the commission in its final opinion. See McDaniel v. Tyson Foods, Inc., VWC File No. 215-31-88 (May 3, 2005). 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.