

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Clements and Senior Judge Annunziata

JOHN E. HALL ELECTRICAL COMPANY AND
THE UNION INSURANCE COMPANY

v. Record No. 1275-06-2

STEVEN ALLEN McFERRIN

MEMORANDUM OPINION*
PER CURIAM
SEPTEMBER 19, 2006

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Richard A. Hobson, on brief), for appellants.

(John H. Klein; Charlene A. Moring; Montagna Klein Camden,
LLP, on brief), for appellee.

John E. Hall Electrical Company and its insurer appeal a decision of the Workers' Compensation Commission finding that employer failed to prove that Steven Allen McFerrin's marijuana intoxication barred his claim for benefits pursuant to Code § 65.2-306. 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 McFerrin v. John E. Hall Electrical Company, VWC File No. 221-39-46 (April 24, 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.