

COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Petty and Senior Judge Bumgardner

LAWRENCE P. FLAIG

v. Record No. 1404-11-3

VIRGINIA EMPLOYMENT COMMISSION AND
GEORGE WYTHE ALBERT d/b/a FAS-T-LUBE

MEMORANDUM OPINION*
PER CURIAM
DECEMBER 13, 2011

FROM THE CIRCUIT COURT OF WYTHE COUNTY
Josiah T. Showalter, Jr., Judge

(Eric R. Thiessen; McElroy, Hodges, Caldwell & Thiessen, on
briefs), for appellant.

(Kenneth T. Cuccinelli, II, Attorney General; Elizabeth B. Peay,
Assistant Attorney General, on brief), for appellee Virginia
Employment Commission.

No brief for appellee George Wythe Albert d/b/a Fas-T-Lube.

Lawrence P. Flaig appeals the circuit court's decision affirming a decision by the Virginia Employment Commission (VEC). The VEC concluded that Flaig's misconduct disqualified him from unemployment benefits. We have reviewed the record, the opinions of the VEC deputy commissioner, the VEC appeals examiner, the VEC special examiner, and the circuit court's June 14, 2011 final order, and find that this appeal is without merit. Accordingly, we affirm for the reasons stated in the special examiner's opinion, as affirmed by the circuit court in its final order dismissing Flaig's petition for judicial review of the VEC's decision. See Flaig v. Albert, Comm'n Decision 94939-C (Oct. 27, 2010), aff'd, Flaig v. Virginia Emp't Comm'n, Case No. CL10000310-00 (June 14, 2011). We dispense with oral argument and

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

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.