

Wednesday 24th

July, 1996.

Norfolk Shipbuilding & Drydock Corporation
and Richard-Flagship Services, Inc., Appellants,
against Record No. 1416-95-1
Claim No. 154-00-19
Donald Eugene Umphlett, Appellee.

Upon a Rehearing

Before Judges Baker, Bray and Overton

It appears to the Court that the decisions of the Supreme Court of Virginia in the cases of The Steinrich Group, et al. v. Claudia H. Jemmott, Record No. 950829, Perdue Farms, Inc. v. Linda Kay Martin, Record No. 951050, and Wampler-Longacre Chicken, Inc., et al., Record No. 951072 (March 1, 1996), control the instant case and that, thus, the award appealed from is erroneous.

Accordingly, the opinion previously rendered on February 27, 1996 is withdrawn, the mandate entered on that date is vacated, and the award of the Virginia Workers' Compensation Commission is reversed.

This order shall be certified to the Virginia Workers' Compensation Commission.

A Copy,

Teste:

Clerk