

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Felton and Senior Judge Willis

CANDICE PAIGE PECKA

v. Record No. 1458-05-2

PAYCHEX, INC. AND  
TRAVELERS INDEMNITY COMPANY OF AMERICA

MEMORANDUM OPINION\*  
PER CURIAM  
OCTOBER 11, 2005

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Jean M. McKeen; Fitzgerald, Tomlin & McKeen, PLLC, on brief),  
for appellant.

No brief for appellees.

Candice Paige Pecka (claimant) appeals a decision of the Workers' Compensation Commission terminating her award of temporary total disability benefits effective July 15, 2004, based upon its findings that Paychex, Inc. proved it made a bona fide offer of selective employment to claimant consistent with her residual work capacity, and claimant failed to prove that her refusal of that selective employment was justified. 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 Pecka v. Paychex, Inc. et. al., VWC File No. 215-79-30 (May 27, 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.

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