

COURT OF APPEALS OF VIRGINIA

Present: Judge McClanahan, Senior Judges Coleman and Annunziata

SAMUEL SHIPKOVITZ

v. Record No. 1468-05-4

H. JAMES HANSEN

MEMORANDUM OPINION*
PER CURIAM
MARCH 21, 2006

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Samuel Shipkovitz, *pro se*, on brief). Appellant submitting on brief.

No brief for appellee.

Samuel Shipkovitz, Esq. appeals a decision of the Workers' Compensation Commission awarding attorneys' fees as follows: (1) \$500 to Shipkovitz; (2) \$500 to Raymond W. Konan, Esq.; and (3) \$4,000 to H. James Hansen, Esq. Shipkovitz contends the commission abused its discretion in dividing the attorneys' fees, which had been held in escrow by the commission pursuant to a compromise settlement approved by the commission.

By order dated January 11, 2006, we directed the parties to file briefs with this Court within twenty-five (25) days of the date of that order addressing whether we have appellate jurisdiction to hear an appeal filed by one attorney subject to the commission's award dividing attorneys' fees against another attorney subject to that award, where neither the employer nor the employee is a party to the appeal. On February 1, 2006, Said Chahmoune, the claimant, and Shipkovitz filed a "Joint Motion for Clarification of Order Requesting Brief as to Jurisdiction and For Extension of Time To Respond." We hereby deny that motion.

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

We have reviewed the record and the commission's opinion and find that this appeal is without merit. We find no abuse of discretion in the commission's division of attorneys' fees and affirm for the reasons stated by the commission in its final opinion. See Chahmoune v. KD Electricals, VWC File No. 212-25-19 (May 19, 2005).

Affirmed.