

COURT OF APPEALS OF VIRGINIA

Present: Judges Bray, Annunziata and Frank

RONALD C. THOMPSON

v. Record No. 1560-99-2

PETROLEUM MARKETERS, INC.

AND

FIDELITY & GUARANTY INSURANCE UNDERWRITERS

MEMORANDUM OPINION*

PER CURIAM

DECEMBER 28, 1999

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Graham T. Jennings, Jr., on brief), for
appellant.

No brief for appellees.

Ronald C. Thompson (claimant) contends that the Workers' Compensation Commission (commission) erred in failing to award him permanent partial disability benefits pursuant to Code § 65.2-503.¹ Upon reviewing the record and opening brief, we conclude that this appeal is without merit. Accordingly, we summarily affirm the commission's decision. See Rule 5A:27.

The Claim for Benefits filed by claimant with the commission sought an award of compensation for lost wages and

* Pursuant to Code § 17.1-413, recodifying Code § 17-116.010, this opinion is not designated for publication.

¹ In his brief, claimant also presented the question whether the commission erred in finding that he failed to adequately market his residual work capacity. However, in the "Argument" section of his brief, claimant stated that he would not pursue this point on appeal. Accordingly, we will not address it.

payment of specific medical bills. At the hearing before the commission on his claim, claimant sought an award of temporary total and temporary partial disability benefits and payment of medical bills. At no time before the commission did claimant file a claim for permanent partial disability benefits, pursuant to Code § 65.2-503. Accordingly, we will not address this issue for the first time on appeal. See Rule 5A:18.

For these reasons, we affirm the commission's decision.

Affirmed.