

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, McClanahan and Senior Judge Willis

STUART FOREST PRODUCTS, LLC AND
FIRSTCOMP INSURANCE COMPANY

v. Record No. 1628-08-3

EVERETT LEE VANCE

MEMORANDUM OPINION*
PER CURIAM
DECEMBER 2, 2008

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Brandi R. Howell; Franklin & Prokopik, P.C., on briefs), for
appellants.

(James R. McGarry; Young, Haskins, Mann, Gregory, McGarry &
Wall, P.C., on brief), for appellee.

Stuart Forest Products, LLC and its insurer (hereinafter referred to as “employer”) appeal a decision of the Workers’ Compensation Commission finding that (1) Everett Lee Vance proved he made a good faith effort to market his residual work capacity such that he is entitled to temporary total disability benefits beginning September 6, 2007; and (2) he reasonably and substantially complied with employer’s vocational rehabilitation efforts. 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 majority of the commission in its final opinion. See Vance v. Stuart Forest Prods., LLC, VWC File No. 229-25-90 (June 3, 2008). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately

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

presented in the materials before the Court and argument would not aid the decisional process.

See Code § 17.1-403; Rule 5A:27.

Affirmed.