

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, Powell and Senior Judge Clements

BRYANT KEITH WINBORNE

v. Record No. 1650-09-1

CITY OF PORTSMOUTH

MEMORANDUM OPINION*
PER CURIAM
NOVEMBER 3, 2009

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Bryant K. Winborne, *pro se*, on brief).

No brief for appellee.

Bryant K. Winborne appeals a decision of the Workers' Compensation Commission finding that the deputy commissioner did not err in dismissing Winborne's claims for failure to respond to discovery. 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 Winborne v. City of Portsmouth, VWC File No. 170-42-42 (June 3, 2009). 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.

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