

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, McCullough and Senior Judge Bumgardner

MORRIS TILE DISTRIBUTORS
OF RICHMOND, INC. AND
COMPANION COMMERCIAL
INSURANCE COMPANY

v. Record No. 1667-12-2

AZITA DUBOIS

MEMORANDUM OPINION*
PER CURIAM
JANUARY 22, 2013

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Patricia C. Arrighi; Wendy E. Warren; PennStuart, on brief), for
appellants.

(Stephen T. Harper; Reinhardt & Harper, PLC, on brief), for
appellee.

Morris Tile Distributors of Richmond, Inc. and Companion Commercial Insurance Company (appellants) appeal a decision of the Workers' Compensation Commission awarding Azita Dubois (claimant) permanent partial disability benefits for an injury to her left shoulder. Appellants contend the commission erred by: (1) upholding the finding by the deputy commissioner that Dr. Kenneth Zaslav's statements of permanency should not be invalidated due to his failure to specify either the nature or the causation of the assigned impairment; and (2) upholding the finding by the deputy commissioner that Dr. Zaslav's finding of maximum medical improvement and the subsequent rating should not be invalidated due to the post-rating improvement of claimant's medical condition.

* 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. Accordingly, we affirm for the reasons stated by the commission in its final opinion. See Dubois v. Morris Tile Distributors of Richmond, Inc., JCN 2359539 (Aug. 21, 2012). 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.