

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, Beales and Senior Judge Fitzpatrick

PHILIP MORRIS USA, INC. AND
TWIN CITY FIRE INSURANCE COMPANY

v. Record No. 1733-06-2

CHARLOTTE H. CYPRESS

MEMORANDUM OPINION*
PER CURIAM
DECEMBER 5, 2006

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Michael N. Salveson; Hunton & Williams LLP, on briefs), for
appellants.

(Ruth E. Nathanson; Maloney, Parks, Clarke & Nathanson, P.C., on
brief), for appellee.

Philip Morris USA, Inc. (employer) appeals a decision of the Workers' Compensation Commission awarding permanent and total disability benefits to Charlotte H. Cypress (claimant), and finding that (1) claimant proved a causal connection between her back injury and her left and right leg symptoms; (2) upon consideration of the ratings issued in this case, claimant proved a quantifiable loss of function of both legs; and (3) claimant proved she is unable to use her legs to any substantial degree in gainful employment. 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 Cypress v. Philip Morris USA, VWC File No. 162-18-08 (June 16, 2006).¹ We dispense with oral argument and summarily affirm

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

¹ The commission denied employer's motion for reconsideration on July 6, 2006.

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.