

COURT OF APPEALS OF VIRGINIA

Present: Judges Alston, Decker and Senior Judge Coleman

ROTO ROOTER SERVICES COMPANY AND
AMERICAN ZURICH INSURANCE COMPANY

v. Record No. 1752-13-4

EUGENIO A. MURGA

MEMORANDUM OPINION*
PER CURIAM
JANUARY 28, 2014

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Joseph C. Veith III; Bancroft, McGavin, Horvath & Judkins, P.C.,
on brief), for appellants.

No brief for appellee.

Roto Rooter Services Company and its insurer (employer) appeal a decision of the Workers' Compensation Commission finding Eugenio A. Murga (claimant) suffered an exacerbation of existing sacroiliac joint problems, causally related to his compensable May 21, 2008 accident and expanding claimant's medical award to cover treatment to his sacroiliac joints. Employer contends the commission erred in (1) finding that the sacroiliac condition was exacerbated in the May 21, 2008 accident and claimant's subsequent treatment of that condition was causally related to the accident where the conclusion reached was based upon a factual finding that is not supported by credible evidence in the record and a medical opinion that rested upon a faulty premise; and (2) finding the claim of injury to the sacroiliac joint was not barred by the statute of limitations.

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

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

opinion. See Murga v. Roto Rooter Services, JCN 2416697 (Aug. 14, 2013). 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.