

COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Petty and Senior Judge Bumgardner

RICHARD ROBINSON

v. Record No. 1839-11-2

DAVID EVERETT, INC. AND
STATE FARM FIRE & CASUALTY COMPANY

MEMORANDUM OPINION*
PER CURIAM
FEBRUARY 14, 2012

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Richard Robinson, *pro se*, on briefs).

(Kathryn Spruill Lingle; Midkiff, Muncie & Ross, P.C., on brief), for
appellees.

Richard Robinson appeals a decision of the Workers' Compensation Commission. On appeal, he contends the commission (1) abused its discretion in refusing to consider new medical evidence not presented to the deputy commissioner and finding such evidence did not constitute newly discovered evidence, (2) erred in finding he unjustifiably refused light-duty work, (3) erred in finding he unjustifiably failed to market his residual work capacity, and (4) erred in finding that Robinson was not denied due process.¹

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 Robinson v. David Everett, Inc., VWC File No. VA020-0000-3764 (Aug. 12, 2011). We dispense with oral argument and summarily affirm because the facts and legal

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

¹ Although Robinson listed eight numbered assignments of error, they all relate to one of the four numbered assignments referenced in the first paragraph of this opinion.

contentions are adequately presented in the materials before this Court and argument would not aid the decisional process. See Code § 17.1-403; Rule 5A:27.

Affirmed.