

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, McClanahan and Senior Judge Willis

JOHN H. WATSON

v. Record No. 1869-08-1

MARINE LABOR, INC. AND
COMPANION PROPERTY & CASUALTY
INSURANCE COMPANY

MEMORANDUM OPINION*
PER CURIAM
JANUARY 27, 2009

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(John H. Watson, *pro se*, on brief).

(Lorraine B. D'Angelo; Angela F. Gibbs; Midkiff, Muncie & Ross,
P.C., on brief), for appellees.

John H. Watson (claimant) appeals a decision of the Workers' Compensation Commission finding that he failed to prove (1) his back condition is causally related to his compensable February 23, 2007 injury by accident; (2) he sustained total disability after April 9, 2007, causally related to his compensable injury by accident; and (3) his average weekly wage was \$1,078.75, rather than \$875.38.

Notwithstanding the deficiencies in claimant's opening brief due to his failure to comply with Rule 5A:20(c) and (d), 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 Watson v. Marine Labor, Inc., VWC File No. 233-27-45 (July 9, 2008). We dispense with oral argument and summarily affirm because the facts and

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

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:27.¹

Affirmed.

¹ In summarily affirming the commission's decision, we considered only those issues which were properly before the commission and considered by it in rendering its decision.