

COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Petty and Senior Judge Bumgardner

FOOD LION, LLC AND
DELHAIZE AMERICA, INC.

v. Record No. 1966-06-2

WILLIAM HENRY ROBERTSON

MEMORANDUM OPINION*
PER CURIAM
DECEMBER 12, 2006

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(William B. Pierce, Jr.; David G. Browne; William B. Pierce &
Associates, PLLC, on brief), for appellants.

(Zenobia J. Peoples, on brief), for appellee.

Food Lion, LLC and its insurer (hereinafter referred to as “employer”) appeal a decision of the Workers’ Compensation Commission finding that employer failed to prove that William Henry Robertson’s claim was barred by willful misconduct pursuant to Code § 65.2-306. 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 Food Lion, LLC v. Robinson, VWC File No. 219-62-05 (July 12, 2006). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately presented

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

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 While the covers of the briefs and the appendix cover indicate appellee's name as "William Henry Robinson," the record shows that appellee's name is William Henry Robertson. Moreover, the content of appellee's brief, including the signature page, indicates his name is William Henry Robertson.