

COURT OF APPEALS OF VIRGINIA

Present: Judges Benton, Haley and Senior Judge Coleman

HALL MAZDA AND
VADA GROUP SELF-INSURANCE ASSOCIATION

v. Record No. 2037-06-2

MARSHALL S. GOWINGS, SR.

MEMORANDUM OPINION*
PER CURIAM
DECEMBER 12, 2006

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Kevin W. Cloe; Angela F. Gibbs; Midkiff, Muncie & Ross, P.C., on brief), for appellants.

(Kevin L. Hubbard; Hubbard & Hartley PC, on brief), for appellee.

Hall Mazda and its insurer appeal a decision of the Workers' Compensation Commission. They contend the commission erred in finding that Marshall S. Gowings, Sr. proved he sustained a compensable change in condition on July 18, 2005, rather than a new injury by accident, and by awarding Gowings payment of related medical expenses, temporary total disability benefits from July 27, 2005 through September 8, 2005, and temporary partial disability benefits from September 8, 2005 and continuing. We have reviewed the record and the commission's opinion, and we hold that this appeal is without merit. Accordingly, we affirm the commission's decisions for the reasons stated by the commission in its final opinion. See Gowings v. Hall Mazda, VWC File No. 215-17-15 (Aug. 11, 2006). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately presented in the

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

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

Affirmed.