

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Beales and Senior Judge Annunziata

JAMES MILTON CARTER, JR.

v. Record No. 2109-10-2

AARON A. HOFFMAN T/A HOFFMAN
CONSTRUCTION COMPANY AND
UNINSURED EMPLOYERS FUND

MEMORANDUM OPINION*
PER CURIAM
FEBRUARY 22, 2011

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Seth R. Carroll; Geoff McDonald & Associates, P.C., on brief), for
appellant.

No brief for appellees.

James Milton Carter, Jr. appeals a decision of the Workers' Compensation Commission. He contends the trial court erred in concluding (1) his claim for temporary total disability benefits was time-barred by Code § 65.2-708; (2) if his temporary total disability benefits were not barred, those benefits would not resume until April 28, 2009¹; and (3) employer was not responsible for his mileage reimbursement and medical expenses. 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 Carter v. Hoffman, VWC File No. 224-37-73 (Sept. 3, 2010). We dispense with oral argument and summarily affirm because

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

¹ Although a deputy commissioner's opinion addressed this issue, because the full commission determined Carter's claim was time-barred, the full commission did not address this issue.

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.