

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Felton and Senior Judge Willis

INVISIBLE FENCING OF HAMPTON ROADS AND  
ERIE INSURANCE EXCHANGE

v. Record No. 2257-04-1

MICHAEL COSTER

MEMORANDUM OPINION\*  
PER CURIAM  
FEBRUARY 1, 2005

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Daniel E. Lynch; John T. Cornett, Jr.; Williams & Lynch, on brief),  
for appellants.

(John E. Robins, Jr.; Stephen F. Forbes; Forbes and Broadwell, on  
brief), for appellee.

Invisible Fencing of Hampton Roads and its insurer (hereinafter referred to as “employer”) appeal a decision of the Workers’ Compensation Commission finding that Michael Coster proved a reasonable excuse for his delay in giving timely notice of his July 1, 2002 injury by accident to employer as required by Code § 65.2-600 and that employer failed to prove prejudice resulting from the delay in notice. We have reviewed the record and the commission’s opinion and find no reversible error. Accordingly, we affirm for the reasons stated by the commission in its final opinion. See Coster v. Invisible Fencing of Hampton Roads, VWC File No. 216-43-36 (Sept. 1, 2004). We dispense with oral argument and summarily affirm because 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.

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