

COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Petty and Senior Judge Bumgardner

JEFFERDS CORPORATION AND
PENNSYLVANIA MANUFACTURING
INDEMNITY INSURANCE COMPANY

v. Record No. 2267-09-3

LAWRENCE G. NELSON

MEMORANDUM OPINION*
PER CURIAM
FEBRUARY 2, 2010

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Richard D. Lucas; Lucas & Kite, PLC, on brief), for appellants.

(John W. Swezey, on brief), for appellee.

Jefferds Corporation, and its insurer, Pennsylvania Manufacturing Indemnity Insurance Company (collectively “employer”), appeal a decision of the Workers’ Compensation Commission finding that claimant provided a reasonable excuse for failing to provide timely notice of an industrial accident. In the absence of sufficient credible evidence supporting a reasonable excuse for failing to provide timely notice of an industrial accident, employer contends the commission committed reversible error in awarding claimant the relief he sought. 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 Nelson v. Jefferds Corp., VWC File No. 239-48-30 (Sept. 18, 2009). 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.

Affirmed.