

COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Petty and Senior Judge Bumgardner

JANET M. GIBBONS

v. Record No. 2280-08-1

CITY OF HAMPTON SCHOOL BOARD

MEMORANDUM OPINION*
PER CURIAM
JANUARY 20, 2009

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Stephen F. Forbes; Forbes and Broadwell, on briefs), for appellant.

(Richard A. Saunders; Furniss, Davis, Rashkind and Saunders, P.C.,
on brief), for appellee.

Janet M. Gibbons (claimant) appeals a decision of the Workers' Compensation Commission denying her claim for permanent total disability benefits and finding that she failed to prove her brain injury was so severe as to render her unemployable in gainful employment. Gibbons challenges those findings and the commission's decision to give greater weight to the opinions of the City of Hampton School Board's medical examiners than claimant's treating physicians. 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 Gibbons v. Hampton (City of) School Bd., VWC File No. 185-73-15 (Aug. 27, 2008).¹ We dispense with oral argument and summarily affirm because the facts and legal

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

¹ On August 28, 2008, the commission corrected page 1 of its August 27, 2008 final opinion to reflect that claimant's May 4, 2007 claim for benefits sought permanent total disability benefits, not permanent partial disability benefits.

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.