

COURT OF APPEALS OF VIRGINIA

Present: Judges Haley, Millette and Senior Judge Coleman

FRANK PREGANO

v. Record No. 2462-07-4

UNITED AIRLINES, INC.

MEMORANDUM OPINION*
PER CURIAM
MARCH 4, 2008

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Kathleen G. Walsh, on brief), for appellant.

(Michael N. Salvesson; Littler Mendelson, on brief), for appellee.

Frank Pregano appeals a decision of the Workers' Compensation Commission finding that he failed to prove under Code § 65.2-401 that he sustained a compensable permanent hearing loss in his left ear by clear and convincing evidence. 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 Pregano v. United Airlines, Inc., VWC File No. 226-29-38 (Sept. 17, 2007). 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.

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