

COURT OF APPEALS OF VIRGINIA

Present: Judges Baker, Elder and Fitzpatrick

MARY MARGARET REUBEN, F/K/A  
TAYO MARGARET FADAHUNSI

v. Record No. 2516-96-4  
INTEGRATED HEALTH SERVICES, INC.  
AND  
RELIANCE NATIONAL INDEMNITY COMPANY

MEMORANDUM OPINION\*  
PER CURIAM  
JANUARY 21, 1997

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Mary Margaret Reuben, pro se, on brief).

No brief for appellees.

Mary Margaret Reuben, f/k/a Tayo Margaret Fadahunsi, (claimant) appeals from a September 13, 1996 Workers' Compensation Commission (commission) decision. In its September 13, 1996 opinion, the commission held that it did not have jurisdiction to hear claimant's request for review because she did not file her request within twenty days after the deputy commissioner's August 15, 1996 opinion. Upon reviewing claimant's brief and employer's motion to dismiss, we find that this appeal is without merit. Accordingly, we summarily affirm the commission's decision. Rule 5A:27.

Code § 65.2-705 requires that an application for review to the full commission must be made within twenty days from the date of the award. Absent fraud or mistake, the decisions of the

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\*Pursuant to Code § 17-116.010 this opinion is not designated for publication.

commission or its deputy commissioners from which no party seeks timely review are binding upon the commission. K & L Trucking Co. v. Thurber, 1 Va. App. 213, 219, 337 S.E.2d 299, 302 (1985).

Claimant's request for review was not received by the commission until September 6, 1996, more than twenty days after the deputy commissioner's August 15, 1996 opinion. Therefore, the commission did not err in holding that it lacked jurisdiction to consider the request for review. For this reason, we do not address the substantive issues raised in claimant's brief, and we affirm the commission's decision.

Affirmed.