

COURT OF APPEALS OF VIRGINIA

Present: Judges Frank, McClanahan and Retired Judge Hodges^{*}

TERRI OSBORNE RADER

v. Record No. 2545-08-3

DOMINION ENTERPRISES TRADING PUBLISHING AND
TRAVELERS INDEMNITY COMPANY OF AMERICA

MEMORANDUM OPINION^{**}
PER CURIAM
MARCH 17, 2009

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(James B. Feinman, on brief), for appellant.

(Robert M. Himmel; Lucas & Kite, PLC, on brief), for appellees.

Terri Osborne Rader appeals a decision of the Workers' Compensation Commission finding that (a) her accident did not arise out of her employment, and (b) the deputy commissioner did not abuse her discretion in refusing to admit certain x-rays into 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 Rader v. Dominion Enterprises Trading Publishing, VWC File No. 231-77-32 (Oct. 8, 2008). 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.

^{*} Retired Judge Hodges took part in the consideration of this case by designation pursuant to Code § 17.1-400(D).

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