

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, Beales and Senior Judge Fitzpatrick

RADISSON HOTEL HAMPTON AND
ERIE INSURANCE EXCHANGE

v. Record No. 2597-06-1

DARLENE TISDALE

MEMORANDUM OPINION*
PER CURIAM
FEBRUARY 27, 2007

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Robert A. Rapaport; Jennifer T. Atkinson; Clarke, Dolph, Rapaport,
Hardy & Hull, P.L.C., on brief), for appellants.

(Byron A. Adams, on brief), for appellee.

Radisson Hotel Hampton and its insurer (hereinafter referred to as “employer”) appeal a decision of the Workers’ Compensation Commission finding that Darlene Tisdale sustained her burden of proving her right carpal tunnel syndrome constituted a compensable ordinary disease of life. In addition to challenging the commission’s finding that claimant sustained her burden of proof, employer asserts that the commission misapplied Code § 65.2-401 by not requiring claimant to prove that her ordinary disease of life did not have causes other than her employment. 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 Tisdale v. Radisson Hotel Hampton, VWC File No. 224-87-58 (Sept. 25, 2006). 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.

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.