

COURT OF APPEALS OF VIRGINIA

Present: Judges Benton, Humphreys and Senior Judge Overton

DIANNA L. KAY

v. Record No. 2983-03-1

CITY OF NORFOLK

MEMORANDUM OPINION*
PER CURIAM
MARCH 2, 2004

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Andrew M. Sacks; Keith J. Leonard; Sacks & Sacks, on brief), for
appellant.

(Joan E. Mahoney, Assistant City Attorney, on brief), for appellee.

Dianna L. Kay appeals a decision of the Workers' Compensation Commission denying her claim for benefits because she failed to prove she sustained an injury by accident arising out of her employment on November 7, 2001. We have reviewed the record and the commission's opinion and find no reversible error. Accordingly, we affirm for the reasons stated by the commission in its final opinion. See Kay v. Norfolk (City of) Police Dep't, VWC File No. 207-63-37 (Oct. 24, 2003). 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.