

COURT OF APPEALS OF VIRGINIA

Present: Judge McClanahan, Senior Judges Coleman and Annunziata

DOLLAR TREE DISTRIBUTION, INC. AND  
AMERICAN ZURICH INSURANCE COMPANY

v. Record No. 3023-05-1

STEVEN MICHAEL DURR, SR.

MEMORANDUM OPINION\*  
PER CURIAM  
MAY 30, 2006

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Robert L. Samuel, Jr.; Williams Mullen, on brief), for appellants.

(Karen M. Rye, on brief), for appellee.

Dollar Tree Distribution, Inc. and its insurer appeal a decision of the Workers' Compensation Commission finding that Steven Michael Durr, Sr.'s failure to disconnect trailer brake air lines before pulling away in the tractor he was operating did not constitute willful misconduct pursuant to Code § 65.2-306. We have reviewed the record and the commission's opinion and affirm for the reasons stated by the commission in its final opinion. See Durr v. Dollar Tree Distribution, Inc., VWC File No. 218-97-34 (Nov. 29, 2005). 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.

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