

COURT OF APPEALS OF VIRGINIA

Present: Judges Petty, AtLee and Senior Judge Clements

ESPERANZA M. GARCIA-GUZMAN

v. Record No. 0851-15-4

CELINA CLEANING SERVICES, INC. AND
THE UNINSURED EMPLOYERS' FUND

MEMORANDUM OPINION*
PER CURIAM
OCTOBER 20, 2015

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Brian Patrick Riley; Antezana & Antezana, LLC, on briefs), for
appellant.

(Richard F. Boddie; Slocum & Boddie, P.C., on brief), for appellee
Celina Cleaning Services, Inc.

(Joshua M. Wulf; David A. Obuchowicz; Midkiff, Muncie & Ross,
P.C., on brief), for appellee The Uninsured Employers' Fund.

Esperanza M. Garcia-Guzman appeals a decision of the Workers' Compensation Commission denying her claim for benefits and finding that she failed to establish her injury arose out of her employment. On appeal, claimant contends the commission erred in: (1) relying on her failure to describe any defect or substance on the floor where the accident occurred as a reason for finding she failed to sustain her burden in proving her injury arose out of her employment; (2) relying on her failure to describe the cause of her fall to Celina Cleaning Services, Inc. or to medical professionals as a reason for finding she failed to sustain her burden of proof; and (3) finding that the only evidence supporting her version of events was her uncorroborated testimony where there was an adverse witness who provided corroborating

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

testimony for her version of events. Claimant also asserts she may raise these assignments of error on appeal pursuant to Code § 8.01-384(A).

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 Garcia-Guzman v. Celina Cleaning Servs., Inc., VWC File No. VA02000014786 (Apr. 30, 2015). 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.