

COURT OF APPEALS OF VIRGINIA

Present: Judges Kelsey, Petty and Senior Judge Bumgardner

REBECCA C. CUBBAGE

v. Record No. 0934-09-4

WAL-MART STORES, INC. AND INSURANCE COMPANY  
OF THE STATE OF PENNSYLVANIA

MEMORANDUM OPINION\*  
PER CURIAM  
SEPTEMBER 29, 2009

FROM THE VIRGINIA WORKERS' COMPENSATION COMMISSION

(Rodger L. Smith; Arthur L. Goff, on brief), for appellant.

(Bryan G. Bosta; Gentry Locke Rakes & Moore, on brief), for  
appellees.

Rebecca C. Cubbage appeals a decision of the Workers' Compensation Commission finding that she failed to prove an injury by accident arising out of and in the course of 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 Cubbage v. Wal-Mart, VWC File No. 227-17-14 (Apr. 9, 2009). 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.