

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 28th day of September, 2018.*

Ken Gryder,

Appellant,

against

Record No. 180517

Circuit Court No. CL17002426-00

Laura Rudy, et al.,

Appellees.

From the Circuit Court of Stafford County

Upon consideration of the record and the pleadings filed in this case, the Court finds that the assignments of error in the petition for appeal are insufficient as they do not address any ruling of the circuit court in *Ken Gryder v. Richard D. Holcomb, Commissioner, Virginia Department of Motor Vehicles, et al.*, Circuit Court Case No. CL17002426-00, from which an appeal is sought. Accordingly, the petition for appeal is dismissed. Rule 5:17(c)(1)(iii).

Upon consideration whereof, appellant's motion for summary judgment is denied.

Chief Justice Lemons took no part in the resolution of the petition.

A Copy,

Teste:

By:

Patricia L. Harrington, Clerk

Deputy Clerk

VIRGINIA

IN THE CIRCUIT COURT FOR THE COUNTY OF STAFFORD

KEN GRYDER,

Plaintiff,

v.

Case No. CL17002426-00

RICHARD D. HOLCOMB, COMMISSIONER  
VIRGINIA DEPARTMENT OF MOTOR VEHICLES, et al.

Defendant.

**ORDER**

This matter came before the Court on February 27, 2018 on (1) Defendant County of Stafford's Motion to Dismiss for Lack of Jurisdiction; (2) Defendant County of Stafford's Demurrer; (3) Defendants Captain Shawn Kimmitz's and Treasurer Laura Rudy's Amended Demurrer, ~~Plea in Bar~~, and Motion to Dismiss; (4) Defendant Richard D. Holcomb's Motion to Dismiss and Joinder in the County of Stafford's Motion to Dismiss for Lack of Jurisdiction; and (5) Defendant Holcomb's Demurrer and Plea of Sovereign Immunity, by counsel, in response to the Appeal filed by the Plaintiff, Ken Gryder, relating to plaintiff's Complaint and Warrant in Debt previously filed.

Upon consideration of the pleadings, ~~evidence~~, and arguments presented, the Court finds that (1) Defendant County of Stafford's Motion to Dismiss for Lack of Jurisdiction; (2) Defendant County of Stafford's Demurrer; (3) Defendants Captain Shawn Kimmitz's and Treasurer Laura Rudy's Amended Demurrer, ~~Plea in Bar~~, and Motion to Dismiss; (4) Defendant Richard D. Holcomb's Motion to Dismiss and Joinder in the County of Stafford's Motion to


Dismiss for Lack of Jurisdiction; and (5) Defendant Holcomb's Demurrer and Plea of Sovereign Immunity, <sup>all</sup> should be sustained.

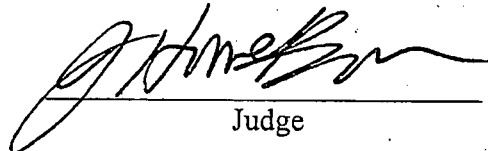
Accordingly, it is ORDERED that: (1) Defendant County of Stafford's Motion to Dismiss for Lack of Jurisdiction; (2) Defendant County of Stafford's Demurrer; (3) Defendants Captain Shawn Kimmitz's and Treasurer Laura Rudy's Amended Demurrer, ~~Plea in Bar~~, and Motion to Dismiss; (4) Defendant Richard D. Holcomb's Motion to Dismiss and Joinder in the County of Stafford's Motion to Dismiss for Lack of Jurisdiction; and (5) Defendant Holcomb's Demurrer and Plea of Sovereign Immunity <sup>are all as to all Defendants (s)</sup> hereby sustained; the plaintiff's Complaint and Warrant in Debt <sup>(s)</sup> against all defendants is dismissed with prejudice; and (3) all defendants are dismissed from further proceedings in this matter.

The Clerk shall send a certified copy of this Order to the plaintiff and to all counsel of record.

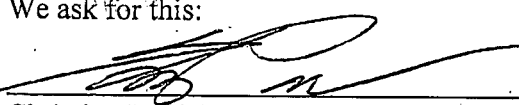
Entered this 27 day of February, 2018.

A COPY TESTE:

  
Kathleen M. Sterne, CLERK  
CIRCUIT COURT OF STAFFORD

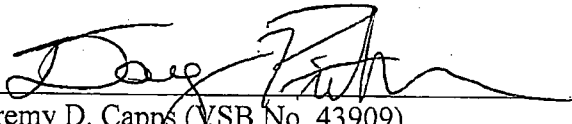
  
Judge

We ask for this:

  
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CPARRISH@oag.state.va.us  
Counsel for Defendant Richard Holcomb

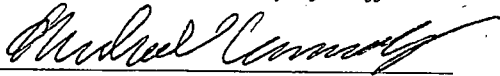
For the reasons stated on the record and in the parties' pleadings, the Court finds that:

- 1) the Court has no jurisdiction over this matter;
  - 2) ~~that~~ <sup>the</sup> Plaintiff has not alleged a cause of action against the Defendants;
  - 3) all Defendants are entitled to sovereign immunity; and
  - 4) Plaintiff's Motion for Continuance is denied.
- 2



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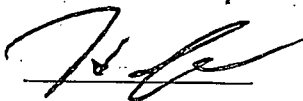


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*Counsel for Defendants Captain Shawn Kimmitz and Treasurer Laura Rudy*

Seen and

objected all all points



Ken Gryder,  
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full rebuttal  
will be provided  
in writing  
within 21 days  
to all parties  
& the court.

Plaintiff gives notice here of appeal  
to Supreme Court of VA