

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Friday the 5th day of October, 2018.

In Re: Pamela L. Southall, Petitioner

Record No. 180475

Upon a Petition for Rehearing

On consideration of the petition of the petitioner to set aside the judgment rendered herein on the 1st day of May, 2018 and grant a rehearing thereof, the prayer of the said petition is denied.

Justice Goodwyn took no part in the resolution of the petition.

A Copy,

Teste:

Patricia L. Harrington, Clerk

By:



Deputy Clerk

VIRGINIA:

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 1st day of May, 2018.

In Re: Pamela L. Southall, Petitioner

Record No. 180475

Upon a Petition for a Writ of Mandamus

Upon consideration of the petition for a writ of mandamus filed April 9, 2018, and the respondent's motion to dismiss, the Court is of opinion that the motion should be granted and the writ should not issue.

Petitioner challenges the October 23, 2017 final order of the Circuit Court of the City of Chesapeake in an unlawful detainer action. She asks this Court to stay the writ of possession and dismiss the detainer action, or direct that she be permitted to reenter the home and remain there pending a new trial.

The Court holds petitioner is not entitled to a writ of mandamus. Petitioner seeks to compel the performance of discretionary acts, for which mandamus does not lie. *See Ancient Art Tattoo Studio, Ltd. v. City of Virginia Beach*, 263 Va. 593, 597, 561 S.E.2d 690, 692 (2002). Further, mandamus does not lie to undo completed acts, or where there exists an adequate remedy at law, in this case an appeal to this Court. *See In re Commonwealth*, 278 Va. 1, 9, 677 S.E.2d 236, 239 (2009) (mandamus "lies to compel, not to revise or correct action, however erroneous it may have been, and is not like a writ of error or appeal, a remedy for erroneous decisions.").

Accordingly, the petition is dismissed.

Justice Goodwyn took no part in the resolution of the petition.

A Copy,

Teste:

Patricia L. Harrington, Clerk

By:


Deputy Clerk