### SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING 100 NORTH NINTH STREET RICHMOND, VIRGINIA 23219 (804) 786-2259

# **Granted Appeal Summary**

#### Case

DOMINIC MORALES DESOTO v. COMMONWEALTH OF VIRGINIA (Record Number 200446)

#### From

The Court of Appeals of Virginia.

#### Counsel

Alexander Raymond for appellant.

Jennifer D. Lindsey (Office of the Commonwealth's Attorney) for appellee.

## **Assignment of Error**

7. The court erred when it found that the Commonwealth had complied with the notice requirement of 19.2-268.3 by emailing counsel her intention of filing a motion to play the child forensic interview but without filing a formal notice with the court stating the code and specific request. The Court of Appeals erred by upholding the trial court's decision.