

SUPREME COURT OF VIRGINIA



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

**Granted Appeal Summary**

**Case**

HEATH NICHOLAS MOISON v. COMMONWEALTH OF VIRGINIA  
(Record Number 220536)

**From**

The Court of Appeals of Virginia.

**Counsel**

J. Barry McCracken (Office of the Public Defender) for appellant.

Craig W. Stallard (Office of the Attorney General) for appellee.

**Assignment of Error**

2. The Court of Appeals erred in affirming the trial court's barring the Appellant from presenting relevant and material testimony on grounds that the evidence was alibi evidence which had not been properly disclosed to the Commonwealth in advance of trial pursuant to Rule 3A:11(d)(2) of the Rules of the Supreme Court of Virginia because such testimony did not constitute evidence of alibi but rather was offered to impeach by contradiction the testimony of the two alleged victims.