

COURT OF APPEALS OF VIRGINIA

Present: Judges Bray, Bumgardner and Senior Judge Hodges
Argued by teleconference

LAWRENCE D. MASON, S/K/A
LAWRENCE DeCARLO MASON

v. Record No. 1366-00-1

COMMONWEALTH OF VIRGINIA

MEMORANDUM OPINION* BY
JUDGE RUDOLPH BUMGARDNER, III
MARCH 27, 2001

FROM THE CIRCUIT COURT OF THE CITY OF WILLIAMSBURG
AND COUNTY OF JAMES CITY
Samuel Taylor Powell, III, Judge

Andrea C. Long (David E. Boone; Boone, Beale,
Cosby & Long, on brief), for appellant.

Amy L. Marshall, Assistant Attorney General
(Mark L. Earley, Attorney General, on brief),
for appellee.

A jury convicted Lawrence DeCarlo Mason of three counts each of robbery and use of a firearm in the commission of robbery. He argues the trial court violated his right to confront the witnesses because it denied his request for a transcript of his codefendants' trials. We conclude the defendant did not preserve the issue for appeal.

The defendant presented his motion for transcripts of the codefendants' trials at a hearing July 2, 1998. The trial court reserved ruling on the motion and asked the defendant to provide

* Pursuant to Code § 17.1-413, this opinion is not designated for publication.

authority supporting his request. Defense counsel sent the trial judge a letter dated July 23, 1998 that reflected the results of his research and gave general reasons for needing the transcript. It contained no proffer of anticipated testimony or inconsistencies the defense expected to find in the transcripts.

The record does not reveal the ruling made by the trial court. An unattributed unsigned form, designated "Continuance Form," dated July 28, 1998, contains the handwritten notation "motion denied." Assuming this reflects the decision on the motion for transcripts, the record contains no order, nor does it reflect the arguments, rulings, or objections that may have been made. If the defendant fails to obtain a ruling, there is no ruling for us to review. Fisher v. Commonwealth, 16 Va. App. 447, 454, 431 S.E.2d 886, 890 (1993). Rule 5A:18 bars our consideration of this question on appeal, and the record reflects no reason to invoke the exception to the rule. Accordingly, we affirm.

Affirmed.