

COURT OF APPEALS OF VIRGINIA

Present: Judges Humphreys, O'Brien and Retired Judge Willis*

FAITH R. ALLEN

v. Record No. 1467-15-3

MEMORANDUM OPINION**

PER CURIAM

FEBRUARY 23, 2016

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT,
DEPARTMENT OF BEHAVIORAL HEALTH AND
DEVELOPMENTAL SERVICES AND
CENTRAL VIRGINIA TRAINING CENTER

FROM THE CIRCUIT COURT OF AMHERST COUNTY

Michael T. Garrett, Judge

(Joseph R. Sanzone, II; Joseph A. Sanzone; Sanzone & Baker,
L.L.P., on brief), for appellant.

(Mark R. Herring, Attorney General; Rhodes B. Ritenour, Deputy
Attorney General; Ronald N. Regnery, Senior Assistant Attorney
General; G. William Norris, Jr., Assistant Attorney General; Liza S.
Simmons, Assistant Attorney General, on brief), for appellees.

Faith R. Allen appeals a decision of the circuit court dismissing her petition for judicial review of a decision of the Department of Human Resource Management (DHRM). DHRM upheld a decision of the Department of Behavioral Health and Developmental Services to issue a Group 3 Written Notice with Termination to Allen. On appeal, Allen contends the circuit court erred by holding the Administrative Process Act exemptions barred consideration of her appeal and her due process rights were not violated by the “procedural method employed by the governmental agencies which denied her the full scope of judicial review guaranteed to her” by the Fifth Amendment of the United States Constitution, and Article 1, § 11 and Article III, § 1 of the Virginia Constitution.

* Retired Judge Willis took part in the consideration of this case by designation pursuant to Code § 17.1-400(D).

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

We have reviewed the record and the circuit court's opinion and order, and we find that this appeal is without merit. Accordingly, we affirm for the reasons stated by the circuit court in its final opinion and order. See Opinion and Order, CL15009426-00 (Circuit Ct. of Amherst Cty., Aug. 21, 2015). We dispense with oral argument and summarily affirm because the facts and legal contentions are adequately presented in the materials before the Court and argument would not aid the decisional process. See Code § 17.1-403; Rule 5A:27.

Affirmed.