

COURT OF APPEALS OF VIRGINIA

Present: Judges Bumgardner, Kelsey and Senior Judge Hodges

CHARLES DAVIS BURRELL

v. Record No. 1661-03-2

VIRGINIA DEPARTMENT OF MOTOR VEHICLES

MEMORANDUM OPINION\*  
PER CURIAM  
MARCH 2, 2004

FROM THE CIRCUIT COURT OF THE CITY OF RICHMOND  
Randall G. Johnson, Judge

(Charles Davis Burrell, *pro se*, on brief).

(Jerry W. Kilgore, Attorney General; Eric K.G. Fiske, Senior  
Assistant Attorney General, on brief), for appellee.

Charles Davis Burrell appeals the decision of the circuit court affirming the Virginia Department of Motor Vehicles' suspension of his driver's license. On appeal to this Court, Burrell presents twenty questions.<sup>1</sup> These questions involve the impact of Reliance Ins. Co. v. Darden, 217 Va. 694, 232 S.E.2d 749 (1977), on Code § 46.2-706, the Due Process Clause of the Fourteenth Amendment, the Commerce Clause of Art. I, § 8 of the federal constitution, contract law, and the Drivers Privacy Protection Act of 1994.

We have reviewed the record and the circuit court's order and find no reversible error. Accordingly, we affirm the circuit court's decision for the reasons stated in its final order, Burrell v. Virginia Dep't of Motor Vehicles, Case No. LR 957-1 (Cir. Ct. City of Richmond June 5, 2003),

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

<sup>1</sup> Many of the questions presented are duplicitous. Seventeen of the questions were presented to the trial court. Three of the questions, relating to the burden of proof at the administrative agency hearing and a violation of the federal Racketeer Influenced and Corrupt Organizations Act, were not presented to the trial court. Therefore, we do not consider those questions on appeal. See Rule 5A:18.

and for the reasons set forth in the Hearing Decision by the Commissioner of the Department of Motor Vehicles issued on May 8, 2003. 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.<sup>2</sup>

Affirmed.

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<sup>2</sup> Burrell has filed a “Petition for ‘Preliminary Injunction,’” a “Motion to Expedite,” and a “Motion for ‘Extension of Time’ to Appeal ‘Refusal of Injunction’ in the Circuit Court on 5 June 03.” We deny the petition and motions.