

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Felton and Senior Judge Willis

LYNN GRAHAM

v. Record No. 2066-02-3

COMMONWEALTH OF VIRGINIA

MEMORANDUM OPINION\*

PER CURIAM

MAY 13, 2003

FROM THE CIRCUIT COURT OF THE CITY OF STAUNTON  
Humes J. Franklin, Jr., Judge

(Richard C. Erickson, on brief), for  
appellant.

(Jeffrey D. Gaines, Assistant Commonwealth's  
Attorney, on brief), for appellee.

Appellant was involuntarily committed under Code § 37.1-67.3. She appeals from an order of the circuit court directing that she undergo certain treatment. On appeal, she contends (1) a separate proceeding under Code § 37.1-134.21 is authorized and should be required, when applicable, following an involuntary commitment, and (2) her due process rights were violated because the evidence was insufficient to justify the use of forced medication where the Commonwealth failed to prove there was an overriding State interest to be vindicated and there was no documentation to support the medical decision in this case. Upon reviewing the record and briefs of the parties,

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

we conclude that this appeal is without merit. Accordingly, we summarily affirm the decision of the trial court. See Rule 5A:27.

The record contains a written statement of facts rather than a transcript of the proceedings in the trial court. The record does not establish that appellant raised her appellate arguments before the trial court. "The Court of Appeals will not consider an argument on appeal which was not presented to the trial court." Ohree v. Commonwealth, 26 Va. App. 299, 308, 494 S.E.2d 484, 488 (1998). See Rule 5A:18. Accordingly, Rule 5A:18 bars our consideration of these questions on appeal. Moreover, the record does not reflect any reason to invoke the good cause or ends of justice exceptions to Rule 5A:18.

Affirmed.