Present: All the Justices

ROBERT SCOTT LYNN

v. Record No. 981146

PER CURIAM February 26, 1999

COMMONWEALTH OF VIRGINIA

FROM THE COURT OF APPEALS OF VIRGINIA

We awarded this appeal to review a judgment of the Court of Appeals of Virginia holding that the Circuit Court of Rockbridge County properly refused defendant's proffered Instruction L on "cooling off," Instruction O on "right to arm," and Instruction S on "relative strength and size" of the parties. <u>Lynn</u> v. Commonwealth, 27 Va. App. 336, 499 S.E.2d 1 (1998).

For the reasons stated on the above issues in the opinion of the Court of Appeals, we will affirm the judgment entered below.

Affirmed.