

# SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING  
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## **Granted Appeal Summary**

### **Case**

JASON N. ELLIS, ET AL. v. TAYLOR B. JOLLEY  
(Record Number 240930)

### **From**

The Court of Appeals of Virginia.

### **Counsel**

Stephen A. Grim and Catherine H. Lindley (Chesapeake City Attorney's Office) for appellants.

Richard J. Davis, III (Kozak & Davis, P.C.) for appellee.

## **Assignments of Error**

1. The Court of Appeals erred in failing to hold that the City was properly dismissed on the basis of sovereign immunity, pursuant to the decision of the Chesapeake Circuit Court.
2. The Court of Appeals, in its consideration of the fourth prong of the *James v. Jane* test, erred in finding that Ellis was engaged in "normal" driving at the time of the accident.
3. The Court of Appeals erred in citing to Ellis' deposition testimony because it was never admitted into evidence at the trial-court level or referenced by the parties on appeal.