

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-2259

Granted Appeal Summary

Case

KEVIN J. HORN, ET AL. v. JAMES WEBB, ET AL.
(Record Number 250511)

From

The Court of Appeals of Virginia.

Counsel

Kevin J. Horn and Kathryn Meredith Kersey Horn (Pro Se).

J. Chapman Petersen and Federico J. Zablah (Chap Petersen & Associates, PLC) for appellees.

Assignments of Error

1. The Court of Appeals erred as a matter of law or abused its discretion by affirming a Final Order on Remand that fails to order the Webbs to repair and re-install the Lot 612 electric system to full working order regardless of when it was removed by the Webbs and therefore is not “consistent” with the Opinion of the Virginia Supreme Court.
2. The Court of Appeals erred as a matter of law or abused its discretion by affirming a Final Order on Remand that rewards the Webbs’ for their unlawful removal of the Lot 612 electric system, fails to restore the Horns’ rights to the state and condition that existed before the Webbs’ interference and therefore is not “consistent” with the Opinion of the Virginia Supreme Court.
3. The Court of Appeals erred as a matter of law or abused its discretion by failing to give proper weight to the opinions of the Circuit Court and Virginia Supreme Court in this case or to the historical case record, all of which establish as a matter of law and fact that the Webbs have no justifiable basis for interfering with the Horns’ legal interest in the Lot 612 electric system and that the factual trial record contains no indication of its removal prior to the Webbs’ September 29, 2023 filing.
4. The Court of Appeals erred as a matter of law or abused its discretion by failing to give proper weight to the Circuit Court and Virginia Supreme Court findings that the Horns

prevailed on their Count I and Count III Counterclaims such that the award of relief underlying those claims was consistent with the Mandate rather than outside of it.