

SUPREME COURT OF VIRGINIA



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

Granted Appeal Summary

Case

BRANDI CARR v. SAHARA MOTORS, LLC
(Record Number 190938)

From

The Circuit Court of the City of Portsmouth; D. Sword, Judge.

Counsel

Lenard Myers II (Fortress Proprietas, P.C.) for appellant.

No counsel of record for appellee.

Assignment of Error

The Circuit Court for the City of Portsmouth (“the trial court”) erred and abused its discretion when it entered its final order on April 16, 2019 dismissing with prejudice and denying Appellant’s Motion to Reconsider Dismissal, Reopen and Rehear. The trial court concluded, without considering evidence offered during the hearing, that Appellant’s non-appearance to Court on February 28, 2019 (a preliminarily, but not final trial date) was a result of “somebody not following up court dates” even though no scheduling order was entered the parties were actively holding settlement conversations and Appellant’s attorney followed the trial court Docket Clerk’s instructions which are contained on the Civil Docket Control Procedures of January 22, 2007 published on the trial court’s website, pursuant to Virginia Code § 8.01-4.