

VIRGINIA:

*In the Supreme Court of Virginia held at the Supreme Court Building in the  
City of Richmond on* Thursday *the* 27th *day of* February, 2014.

Jeffrey Lynn Kirtley, Appellant,

against Record No. 130625  
Court of Appeals No. 1373-12-3

Commonwealth of Virginia, Appellee.

Upon an appeal from a  
judgment rendered by the Court  
of Appeals of Virginia.

Upon consideration of the record, briefs, and argument of  
counsel, the Court is of opinion that there is no error in the  
judgment of the Court of Appeals.

Jeffrey Lynn Kirtley ("Kirtley") assigns error to the Court of  
Appeals' finding that the evidence was sufficient to support the  
trial court's ruling that he had violated the terms and conditions  
of his probation. It is undisputed that Kirtley failed to complete  
sex offender treatment, a condition of his probation. Consequently,  
the evidence is sufficient to support the trial court's ruling.\*

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\* Kirtley also argued that requiring him to complete sex  
offender treatment as a condition of his probation was  
unreasonable. We note, however, that Kirtley did not appeal this  
requirement when he was originally sentenced and, therefore, the  
reasonableness of this requirement is not properly before the Court  
on appeal.

For this reason, we affirm the judgment of the Court of Appeals. The appellant shall pay to the Commonwealth of Virginia two hundred and fifty dollars damages.

This order shall be certified to the Court of Appeals of Virginia and the Circuit Court of Rockingham County.

A Copy,

Teste:

*Pat L. Hammit*

Clerk