

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
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Granted Appeal Summary

Case

DENNIS CRUMPLER v. DANIEL JAMES STARK, ET AL.
(Record Number 230606)

From

The Court of Appeals of Virginia.

Counsel

Christopher W. Stevens, Elaine D. McCafferty (Woods Rogers Vandeventer Black PLC), and George I. Vogel, III (Vogel & Cromwell, L.L.C.) for appellant.

Devon J. Munro (Munro Byrd, P.C.) for appellee.

Assignment of Error

I. The Court of Appeals erred in reversing the Circuit Court’s most recent imposition of civil penalties against Respondents for their latest-in-a-long-line of tortious (and, separately, felony criminal) conduct against Petitioner and Petitioner’s development at Smith Mountain Lake, The Coves. The Court of Appeals specifically erred in concluding that the Circuit Court, which is deeply familiar with the longstanding litigation and the Parties in this case, misinterpreted its own prior orders that enjoined Respondents in two ways:

A. The Court of Appeals incorrectly held that Respondents did not violate an injunction from entering the area around The Coves but were instead engaged in “vehicular transient use” when the Circuit Court’s factual findings following an *ore tenus* hearing established that Respondents rode bicycles through the area, stopped their bicycles, and harassed residents of Petitioner’s development; and

B. The Court of Appeals incorrectly held that Respondents, who were enjoined from defaming Petitioner by the Circuit Court for a history of repeatedly doing exactly that, did not commit defamation *per se* against Petitioner for knowingly and intentionally publishing statements that contained provably false connotations prejudicing Petitioner in his profession and trade.