

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
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Granted Appeal Summary

Case

RUBEN EDWARD MOORE v. COMMONWEALTH OF VIRGINIA
(Record Number 190856)

From

The Court of Appeals of Virginia.

Counsel

Charles E. Haden for appellant.

Anton Bell (Office of the Commonwealth's Attorney) and Phillip O. Figura (Office of the Attorney General) for appellee.

Assignment of Error

1. The Court of Appeals erred in affirming the trial court's denial of Moore's motion to strike (and motion to set aside) the murder charge, where the Commonwealth's evidence was insufficient as a matter of law to prove murder by Moore and should not have been allowed to go to the jury, since the evidence at best created merely a suspicion of guilt and was plainly insufficient to prove that Moore had committed that offense.