

SUPREME COURT OF VIRGINIA



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

Case

COMMONWEALTH OF VIRGINIA v. STEPHEN J. KILPATRICK
(Record Number 210530)

From

The Court of Appeals of Virginia.

Counsel

Craig W. Stallard (Office of the Attorney General) for appellant.

Timothy R. Clinton and Gregory M. Lipper (Clinton & Peed) for appellee.

Assignment of Error

2. The Court of Appeals erred in concluding that the trial court erred in excluding expert testimony regarding whether the defendant was a pedophile where the circuit court determined that such testimony would go to an ultimate issue and invade the province of the jury.
3. The Court of Appeals erred in finding that even if the trial court erred in excluding the proffered testimony, that any such error was not harmless.