

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
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Granted Appeal Summary

Case

ERIC LISANN v. ELIZABETH LISANN
(Record Number 230718)

From

The Court of Appeals of Virginia.

Counsel

Samuel A. Leven (The Baldwin Law Firm, LLC) for appellant.

Charles E. Powers (Stiles Ewing Powers, PC) for appellee.

Assignments of Error

- 1) The Court of Appeals erred when it affirmed the trial court's separation date finding by holding, for the first time, that in a separation-based divorce the intent to remain separated need not remain throughout the separation period.
- 2) The Court of Appeals erred when it affirmed the trial court's separation date finding by holding, also for the first time, that in a separation-based divorce a complete reconciliation is required in order to "interrupt" a separation.
- 3) The Court of Appeals erred when, after correctly vacating the trial court's ruling regarding distribution of the Daniel Lewis property, it improperly engaged in an advisory opinion about the potential distribution of that property on remand.
- 4) The Court of Appeals erred when it failed to hold that the trial court could not find the Daniel Lewis property to be entirely separate.
- 5) The Court of Appeals erred when, after correctly vacating the trial court's ruling denying the husband spousal support, it improperly engaged in an advisory opinion about a potential ruling on the matter on remand.
- 6) The Court of Appeals erred when it improperly restricted the review of spousal support the trial court would conduct on remand.

7) The Court of Appeals erred in both its opinions when it relied upon misunderstanding of or outright erroneous statements about the trial court record.