

**VIRGINIA:**

*In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Thursday the 21st day of November, 2024.*

Present: All the Justices

COMMONWEALTH OF VIRGINIA,

APPELLANT,

against

Record No. 240138  
Court of Appeals No. 1040-21-1

TAYLOR AMIL WALLACE,

APPELLEE.

FROM THE COURT OF APPEALS OF VIRGINIA

Upon consideration of the record, briefs, and argument of counsel, the Court is of the opinion that there is reversible error in the judgment of the Court of Appeals. For the reasons stated in the dissenting opinion of the en banc Court of Appeals, *see Wallace v. Commonwealth*, 79 Va. App. 455, 476-84 (2024), the Court reverses the judgment of the en banc Court of Appeals and affirms the circuit court's final judgment. This order shall be published in the Virginia Reports and certified to the Court of Appeals of Virginia and the Circuit Court of the City of Chesapeake.

CHIEF JUSTICE GOODWYN, joined by JUSTICES McCULLOUGH, and RUSSELL, dissent for the reasons stated in the majority opinion of the en banc Court of Appeals, *see Wallace*, 79 Va. App. at 458-73.

A Copy,

Teste:

  
Clerk