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McCane v. Vereen

ASSIGNMENTS OF ERROR

1. The Circuit Court erred when it failed to impose sanctions on the Vereens in the amount of $20,600, because in doing so, in effect, it modified the Consent Decree more than 21 days after it was entered, and it thereby violated Rule 1:1 of the Rules of the Supreme Court of Virginia.

2. The Circuit Court erred when it failed to award a judgment in favor of the Zoning Administrator and against the Vereens in the amount of $20,600 after finding that the Vereens had violated the Consent Decree for 206 days because doing so violated the plain and unambiguous terms of the Consent Decree.

3. The Circuit Court erred in apparently finding that, because the Zoning Administrator did not object to the Circuit Court's continuances of the hearing on the Rule to Show Cause and the Zoning Administrator stated in the Motion for the Rule to Show Cause that she might ask for alternative sanctions, she waived her right to recover the full amount of the sanctions she is entitled to recover from the Vereens under the Consent Decree.