

VA Supreme Court Opinion: DRHI, Inc. v. Hanback

6 Nov 2014

In [*DRHI, Inc. v. Hanback*](#), The Virginia Supreme Court considered appeals in a property development dispute. The Court heard this case because it was not immediately apparent from the petitions for appeal whether this case involved a monetary judgment, a civil contempt fine, or both, in the interests of judicial economy the appeal to this Court was granted, and the case before the Court of Appeals was certified pursuant to Code §§ 17.1-409(A) and (B)(2), transferring jurisdiction to this Court over the entire case, regardless of the outcome on the merits.

DHRI, Inc. entered into an agreement to purchase a piece of property from William Hanback. DHRI later sued Hanback over performance of the land purchase contract. A trial court ruled on June 9, 2004 that Hanback should sell the property to DHRI and DHRI should pay to Hancock for the property. But that order did not contain definite terms as to the total amount to be paid or when such payment was due. On November 21, 2012, Hancock filed a petition for rule to show cause, stating that after closing on the property, DHRI refused to pay him the amount owed to him under the June 9, 2004 order. After a hearing, the circuit court issued a rule to show cause to DHRI. The circuit court's September 20, 2013 order is a judgment of civil contempt, finding that DHRI had not paid Hancock the required amount of \$350,000. The Supreme Court reversed the lower court's decision and dismissed the rule to show cause, maintaining that the circuit court abused its discretion by holding the respondent in contempt for violating the June 9, 2004 order and by ordering it to pay petitioner \$350,000 when order did not contain definite terms as to the total amount DRHI was required to pay and when such payment was due. The dissenters argue that the Court lacked subject matter jurisdiction to hear the appeal.

VA Supreme Court Opinion: DRHI, Inc. v. Hanback

6 Nov 2014