

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-2259

Granted Appeal Summary

Case

CARL D. GORDON v. JEFFREY B. KISER, ET AL.
(Record Number 180162)

From

The Circuit Court of Wise County; C. Dotson, Judge.

Counsel

Melissa Windham Friedman (Anderson & Friedman) for appellant.

Margaret Hoehl O'Shea (Office of the Attorney General) for appellee.

Assignments of Error

1. The Wise Court erred in not granting my motion for a nonsuit of this case.
2. The Wise Court erred in not stating at least one reason for not granting me a nonsuit of this case.
3. The Wise Court erred in not holding a hearing on my motion for a nonsuit of this case as I requested.
4. The Wise Court erred in finding that my Complaint failed to state a claim for injunctive relief.
5. The Wise Court erred in finding that Article I, § 1 of the Constitution of Virginia does not entitle me to safe dental treatment as a matter of right.
6. The Wise Court erred in finding my Complaint is frivolous.
7. The Wise Court erred in not following *Tolbert v. Stevenson*, 635 F.3d 646, 649 (4th Cir. 2011), when assessing strikes against me for cases dismissed only in part for failure to state claim.
8. The Wise Court erred in not granting me time in which to file a declaration in opposition to Defendants' demurrer and motion to dismiss.

9. The Wise Court erred in assessing strikes against me for cases dismissed upon grant of summary judgment.

10. The Wise Court erred in imposing overly broad sanctions on me that encompasses non in forma pauperis filed cases.

11. The Wise Court erred in imposing sanctions on me pursuant to Va. Code § 8.01-271.1.