

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
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Granted Appeal Summary

Case

ERIC S. MCCHESENEY, ET AL. v. STRATEGIC FUNDING SOURCE, INC.
(Record Number 201454)

From

The Circuit Court for York County and the City of Poquoson; R. Rizk, Judge.

Counsel

Roy H. Lasris (Lasris, Walsh & Curry, P.C.) for appellants.

Timothy A. Hennigan (The Nguyen Law Firm, PLC) for appellee.

Assignments of Error

1. The trial court erred in ruling that a creditor stands in the exact shoes of a debtor irrespective of tenants by the entirety interests and statutory protections of non-debtor parties.
2. It was error for the trial court to have found that the bank account maintained in Missouri was subject to the creditor's writ of *fieri facia*, and therefore ownership analysis under Virginia law, merely because the parent bank was successfully served in Virginia with a garnishment order.
3. It was error for the trial court to have determined that the garnished bank account was subject to creditor process when the account was 'domiciled' and presumptively owned by Appellants as tenants by the entirety, in Missouri.