

Bond Case Briefs

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MUNICIPAL ORDINANCE - VIRGINIA

Amin v. County of Henrico

Court of Appeals of Virginia, Richmond - April 1, 2014 - S.E.2d - 2014 WL 1281726

Defendant was convicted in the Circuit Court of carrying concealed weapon in violation of county ordinance. Defendant appealed. The Court of Appeals affirmed. Defendant appealed. The Supreme Court reversed and remanded.

On remand, the Court of Appeals held that:

- County ordinance, criminalizing as a violation of county law all conduct that would be criminal under certain provisions of the Virginia Code, could not have validly incorporated statute proscribing the act of carrying a concealed weapon, and
- Because trial court convicted defendant of violating a county ordinance that could not punish the conduct alleged in the final order, a violation of the ordinance was a legally insufficient basis for a criminal conviction, such that defendant's conviction was void ab initio.