

2010 SESSION

INTRODUCED

10101871D

SENATE BILL NO. 363

Offered January 13, 2010

Prefiled January 12, 2010

*A BILL to amend and reenact § 8.01-696 of the Code of Virginia and to repeal § 8.01-420 of the Code of Virginia, relating to depositions as basis for motion of summary judgment or to strike evidence.*

Patron—Blevins

Referred to Committee for Courts of Justice

**Be it enacted by the General Assembly of Virginia:**

**1. That § 8.01-696 of the Code of Virginia is amended and reenacted as follows:**

§ 8.01-696. Summary judgment; pro se prisoner civil action.

~~Notwithstanding the provisions of § 8.01-420, any~~ Any time after commencement of a pro se prisoner civil action, a party may move for summary judgment on all issues based upon the pleadings, any admissions, and supporting affidavits. The adverse party may serve supporting affidavits within 10 days after service of the motion. The judgment sought shall be rendered forthwith if the pleadings, admissions, and affidavits show that there is no genuine issue of material fact and that the moving party is entitled to a judgment as a matter of law.

**2. That § 8.01-420 of the Code of Virginia is repealed.**

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