

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 8.01-626 of the Code of Virginia, relating to injunctions; opposition to*
3 *petition for review.*

4
5 Approved

[S 229]

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

7 **1. That § 8.01-626 of the Code of Virginia is amended and reenacted as follows:**

8 **§ 8.01-626. When court grants or refuses injunction, justice of Supreme Court or judge of**
9 **Court of Appeals may review it.**

10 Wherein a circuit court (i) grants an injunction or (ii) refuses an injunction or (iii) having granted an
11 injunction, dissolves or refuses to enlarge it, an aggrieved party may, within ~~fifteen~~ 15 days of the
12 court's order, present a petition for review to a justice of the Supreme Court; however, if the issue
13 concerning the injunction arose in a case over which the Court of Appeals would have appellate
14 jurisdiction under § 17.1-405 or § 17.1-406, the petition for review shall be initially presented to a judge
15 of the Court of Appeals within ~~fifteen~~ 15 days of the court's order. *The aggrieved party shall serve a*
16 *copy of the petition for review on the counsel for the opposing party, which may file a response within*
17 *seven days from the date of service unless the court determines a shorter time frame.* The petition for
18 review shall be accompanied by a copy of the proceedings, including the original papers and the court's
19 order respecting the injunction. The justice or judge may take such action thereon as he considers
20 appropriate under the circumstances of the case.

21 When a judge of the Court of Appeals has initially acted upon a petition for review of an order of a
22 circuit court respecting an injunction, a party aggrieved by such action of the judge of the Court of
23 Appeals may, within ~~fifteen~~ 15 days of the order of the judge of the Court of Appeals, present a petition
24 for review of such order to a justice of the Supreme Court if the case would otherwise be appealable to
25 the Supreme Court in accordance with § 17.1-410. *The aggrieved party shall serve a copy of the petition*
26 *for review on the counsel for the opposing party, which may file a response within seven days from the*
27 *date of service unless the court determines a shorter time frame.* The petition for review shall be
28 accompanied by a copy of the proceedings before the circuit court, including the original papers and the
29 circuit court's order respecting the injunction, and a copy of the order of the judge of the Court of
30 Appeals from which review is sought. The justice may take such action thereon as he considers
31 appropriate under the circumstances of the case.