

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act for the relief of Brian Keith Linkous.*

3 [H 138]

4 Approved

5 Whereas, in the late afternoon of October 6, 1995, Deputy James H. Keaton, while on patrol in his  
6 police vehicle in Henry County, observed an intoxicated woman leaving the scene of an accident; and7 Whereas, in beginning his pursuit, Deputy Keaton attempted to make a U-turn, but realizing he could  
8 not complete it, began to back up into the traffic lane; and9 Whereas, although Deputy Keaton looked to see if there were any vehicles coming, he apparently did  
10 not see Brian Linkous' vehicle approaching and the two cars collided; and

11 Whereas, Brian Linkous' vehicle sustained significant damage as a result of the collision; and

12 Whereas, the Supreme Court of Virginia has ruled that, under the doctrine of sovereign immunity,  
13 the acts of a police officer engaged in vehicular pursuit are entitled to immunity, because the officer's  
14 acts involve the exercise of discretion and judgment and are not simply ministerial in nature; and

15 Whereas, Deputy Keaton is immune from civil liability; and

16 Whereas, Brian Keith Linkous has no other means to obtain relief except by action of this body;  
17 now, therefore,18 **Be it enacted by the General Assembly of Virginia:**19 **1. § 1.** *That there is hereby allocated from funds appropriated to Henry County pursuant to § 14.1-84.1*  
20 *of the Code of Virginia the sum of \$1,116 for the relief of Brian Keith Linkous. This sum shall be paid*  
21 *by check issued by the State Treasurer on a warrant of the Comptroller, upon execution by Brian Keith*  
22 *Linkous of a release of all claims he may have against the Commonwealth, its political subdivisions,*  
23 *agencies, instrumentalities, officers or employees in connection with, or arising out of, the aforesaid*  
24 *occurrence.*

ENROLLED

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