

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING  
100 NORTH NINTH STREET  
RICHMOND, VIRGINIA 23219  
(804) 786-2259

**Granted Appeal Summary**

**Case**

ALLEN POULSON v. COMMONWEALTH OF VIRGINIA  
(Record Number 240081)

**From**

The Court of Appeals of Virginia.

**Counsel**

S. Mario Lorello (Zoby & Broccoletti, P.C.) for appellant.

Suzanne Seidel Richmond (Office of the Attorney General) for appellee.

**Assignments of Error**

I. The Court of Appeals erred by failing to rule on the entirety of the Assignment of Error, specifically whether or not a police officer may arrest someone while they are on their curtilage of their property absent a warrant or probable cause coupled with an exigency. This incomplete ruling by the Court of Appeals denied Appellant his appeal of right pursuant to the January 1, 2022 amendments to Va. Code § 17.1-407.

II. The trial court erred in denying Appellant's Motion to Suppress, specifically erring in finding that Appellant was not seized on the curtilage of his home and in-custody, which would have required *Miranda* warnings, and erring in finding that the arrest on the curtilage of the property was lawful.