

relating to assignments of error presented in, and to actions taken by, the Court of Appeals" Rule 5:17(c)(1)(ii). Effective July 1, 2010, subparagraph (c)(1)(iii) was added to Rule 5:17. That amendment provides that an assignment of error that does not address a finding or ruling of a "[t]ribunal from which an appeal is taken" is insufficient and that "[i]f the assignments of error are insufficient, the petition for appeal shall be dismissed." Rule 5:17(c)(1)(iii). By prescribing dismissal of the appeal, this amendment established that the inclusion of sufficient assignments of error is a mandatory procedural requirement and that the failure to comply with this requirement deprives this Court of its active jurisdiction to consider the appeal. Smith v. Commonwealth, 281 Va. 464, 467-68, 706 S.E.2d 889, 891-92 (2011); Jay v. Commonwealth, 275 Va. 510, 518-19, 659 S.E.2d 311, 315-16 (2008).

Accordingly, because Davis' sole assignment of error in this appeal does not address any finding or ruling of the Court of Appeals, the appeal is dismissed. Rule 5:17(c)(1)(iii).

This order shall be published in the Virginia Reports and shall be certified to the Court of Appeals of Virginia and to the Circuit Court of the City of Suffolk.

Justice Powell took no part in the consideration of this case.¶

A Copy,

Teste:

Patricia L. Harrington, Clerk