

SUPREME COURT OF VIRGINIA

Stevens v. Jurnigan

Record No. 250142 (Va. Apr. 9, 2026) · No. Record No. 250142 · Decided April 9, 2026

SUMMARY

The Supreme Court of Virginia held that the Court of Appeals applied the wrong standard of review when reviewing pleas in bar supported by deposition testimony and documentary evidence. The Court held that the circuit court’s factual findings were entitled to substantial deference and reinstated the circuit court’s determination that the plaintiff’s sexual-abuse claims accrued in 2002 and became time-barred in 2004.

CASE DETAILS

COURT	Supreme Court of Virginia
WRITING FOR THE COURT	Justice Teresa M. Chafin; All the Justices
JURISDICTION	Supreme Court of Virginia
DECIDED	April 9, 2026
DOCKET	Record No. 250142
DISPOSITION	reversed
PROCEDURAL POSTURE	The appellants appealed from the Virginia Court of Appeals' reversal of the Sussex County Circuit Court's grant of their pleas in bar. The Supreme Court of Virginia reviewed whether the Court of Appeals applied the correct standard of review to factual findings made after an evidentiary hearing on the pleas in bar.
STANDARD OF REVIEW	When evidence is presented on a plea in bar and the circuit court resolves disputed factual issues, the appellate court must defer to the circuit court's factual findings and view the evidence in the light most favorable to the prevailing party. Findings based on ore tenus evidence are not disturbed unless plainly wrong or unsupported by the evidence; factual findings based on deposition testimony and documentary evidence receive substantial deference and are presumptively correct. The circuit court's application of law to the facts is reviewed de novo.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Virginia
PARTIES	Michael H. Stevens, James M. Bowes, Southampton Bowmen Club v. Steve Thomas Jurnigan, II

TOPICS

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statute of limitations

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QUESTIONS PRESENTED

1. What standard of appellate review applies when a circuit court resolves disputed factual issues underlying a plea in bar after considering deposition testimony and documentary evidence?
2. Whether the Court of Appeals erred by treating the evidentiary plea in bar as a motion for summary judgment and reviewing the circuit court's factual findings de novo.
3. Whether, under the deferential standard of review, the circuit court properly determined that Jurnigan's claims accrued when he reached the age of majority in 2002 and became time-barred in 2004.

HOLDINGS

1. When the parties present evidence concerning a factual dispute underlying a plea in bar and submit the matter to the circuit court rather than a jury, the circuit court must resolve the factual dispute, and the appellate court must defer to the circuit court's factual findings.
2. The circuit court did not err in finding that Jurnigan's claims accrued when he reached the age of majority in 2002 and became time-barred two years later in 2004.

KEY QUOTATIONS

“A plea in bar is a defensive pleading that reduces the litigation to a single issue, which, if proven, creates a bar to the plaintiff’s right of recovery.” (4)

“When the parties present evidence addressing a factual dispute underlying a plea in bar and submit the matter to the circuit court rather than a jury, the circuit court is required to resolve the underlying factual dispute after considering the evidence before it.” (6)

“The circuit court’s factual findings were based on its consideration of the evidence presented by the parties, and they were entitled to substantial deference on appeal.” (7)

“Accordingly, we conclude that the circuit court did not err when it determined that Jurnigan’s claims accrued when he reached the age of majority in 2002.” (8)

FACTUAL BACKGROUND

Steve Thomas Jurnigan, II, alleged that he suffered injuries from sexual abuse occurring between 1993 and 2000, when he was between eight and fifteen years old. The appellants relied on Jurnigan's deposition testimony and written statements to police to argue that he knew, before reaching adulthood, that the abuse caused at least some of his injuries. The circuit court found that Jurnigan knew of the causal connection before reaching the age of majority in 2002, making the claims subject to the two-year limitations period then in effect.

PROCEDURAL HISTORY

Jurnigan filed claims arising from alleged sexual abuse occurring between 1993 and 2000. The Sussex County Circuit Court considered Jurnigan's deposition testimony and documentary evidence, granted the appellants' pleas in bar, and concluded that the claims accrued when Jurnigan reached the age of majority in 2002 and became time-barred in 2004. The Court of Appeals reversed after reviewing the matter de novo and concluding that a genuine dispute of material fact existed. The Supreme Court of Virginia reversed the Court of Appeals and reinstated the circuit court's judgment.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The judgment of the Court of Appeals of Virginia was reversed, and the judgment of the Sussex County Circuit Court was reinstated. The opinion states that the matter was reversed and final judgment.

CASES CITED

- Jurnigan v. Byrum, Record No. 1493-23-2, 2025 Va. App. LEXIS 33 (Jan. 21, 2025) (unpublished)
- Cooper Indus., Inc. v. Melendez, 260 Va. 578, 594 (2000)
- Hawthorne v. VanMarter, 279 Va. 566, 577-78 (2010)
- California Condo. Ass'n v. Peterson, 301 Va. 14, 20-21 (2022)
- Massenburg v. City of Petersburg, 298 Va. 212, 216 (2019)
- Commonwealth v. Windsor Plaza Condo. Ass'n, 289 Va. 34, 59 (2014)
- Commonwealth v. Barney, 302 Va. 84, 96-97 (2023)
- Bowman v. Commonwealth, 290 Va. 492, 496 (2015)
- Ashby v. Dumouchelle, 185 Va. 724, 731-32 (1946)
- Wolford v. Williams, 195 Va. 489, 499 (1953)
- Canavos v. Canavos, 200 Va. 861, 866 (1959)
- Commonwealth v. Perkins, 295 Va. 323, 327 (2018)
- Anderson v. Bessemer City, 470 U.S. 564, 574 (1985)
- Harris v. Joplin, 304 Va. 338, 350 (2025)
- Meade v. Commonwealth, 74 Va. App. 796, 806 (2022)