

TWENTY-EIGHTH JUDICIAL CIRCUIT  
OF VIRGINIA

C. RANDALL LOWE, JUDGE

LARRY B. KIRKSEY, JUDGE

ISAAC ST. C. FREEMAN, JUDGE

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CHARLES H. SMITH, JR., RETIRED

CHARLES B. FLANNAGAN, II, RETIRED



COMMONWEALTH OF VIRGINIA  
PLEASE REPLY TO THE ABINGDON OFFICE

WASHINGTON COUNTY  
P.O. Box 289  
ABINGDON, VIRGINIA 24212  
(276) 676-6260

CITY OF BRISTOL  
497 CUMBERLAND STREET  
BRISTOL, VIRGINIA 24201  
(276) 645-7351

SMYTH COUNTY  
109 W. MAIN STREET  
MARION, VIRGINIA 24354  
(276) 782-4050

April 27, 2011

Rebecca K. Glenberg, Esq.  
ACLU of Virginia  
530 E. Main Street, Suite 310  
Richmond, VA 23219

Re: Michael Evan Dye, Name Change  
Case No.: CL11-73

Dear Counsel:

This matter is before the Court on the applicant's request for change of name pursuant to §8.01-217 of the Code of Virginia, 1950, as amended. The Court received testimony from Mr. Dye on March 11, 2011. Mr. Dye testified that his request for a change of name was for the purpose of everyone in the household having the same last name. Mr. Dye testified that he and Mr. Justice have entered into a civil union in the state of Iowa but further acknowledged that he was aware that such a union would not be recognized in the Commonwealth of Virginia. Further, Mr. Dye testified that he is aware that the law prohibits same-sex marriage in the Commonwealth of Virginia and that he does not intend to hold himself out as married in the Commonwealth of Virginia, for any purpose. Mr. Dye testified that he understood that a change of name, pursuant to the laws of the Commonwealth of Virginia, would not bestow any of the benefits of marriage. Mr. Dye, understanding these facts, indicated that it is his desire for the members of the household to have the same last name and not for any other unlawful or fraudulent purpose.

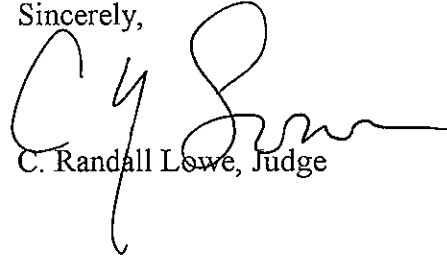
Pursuant to §8.01-217, "the court shall, unless the evidence shows the change of name is sought for a fraudulent purpose, or would infringe upon the rights of others . . . order a change of name."

The Court determines factually that Mr. Dye understands that, by statute, he and Mr. Justice cannot be married in the Commonwealth of Virginia. Further, Mr. Dye acknowledges that the change of name will not accomplish that purpose and does not convey any benefits of marriage.

Michael Evan Dye, Name Change  
Case No.: CL11-73  
April 27, 2011  
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Accordingly, the Court finds that this change of name, as acknowledged by the applicant, is not for a fraudulent purpose and the Court will grant the petition. The Court directs Ms. Glenberg to prepare an order reflecting the ruling of the Court.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Randall Lowe". The signature is fluid and cursive, with a large initial "C" and a long horizontal stroke at the end.

C. Randall Lowe, Judge

CRL/lg

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April 27, 2011

Rebecca K. Glenberg, Esq.  
ACLU of Virginia  
530 E. Main Street, Suite 310  
Richmond, VA 23219

Re: Brian Keith Justice, Name Change  
Case Number: CL11-74

Dear Counsel:

This matter is before the Court on the applicant's request for change of name pursuant to §8.01-217 of the Code of Virginia, 1950, as amended. The Court received testimony from Mr. Justice on March 11, 2011. Mr. Justice testified that his request for a change of name was for the purpose of everyone in the household having the same last name. Mr. Justice testified that he and Mr. Dye have entered into a civil union in the state of Iowa but further acknowledged that he was aware that such a union would not be recognized in the Commonwealth of Virginia. Further, Mr. Justice testified that he is aware that the law prohibits same-sex marriage in the Commonwealth of Virginia and that he does not intend to hold himself out as married in the Commonwealth of Virginia, for any purpose. Mr. Justice testified that he understood that a change of name, pursuant to the laws of the Commonwealth of Virginia, would not bestow any of the benefits of marriage. Mr. Justice, understanding these facts, indicated that it is his desire for the members of the household to have the same last name and not for any other unlawful or fraudulent purpose.

Pursuant to §8.01-217, "the court shall, unless the evidence shows the change of name is sought for a fraudulent purpose, or would infringe upon the rights of others . . . order a change of name."

The Court determines factually that Mr. Justice understands that, by statute, he and Mr. Dye cannot be married in the Commonwealth of Virginia. Further, Mr. Justice acknowledges that the change of name will not accomplish that purpose and does not convey any benefits of marriage.

Brian Keith Justice, Name Change

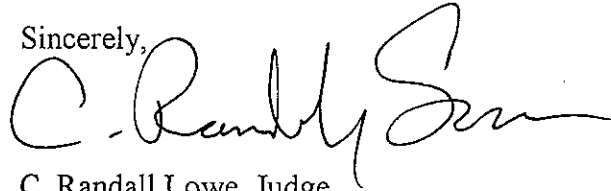
Case Number: CL11-74

April 27, 2011

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Accordingly, the Court finds that this change of name, as acknowledged by the applicant, is not for a fraudulent purpose and the Court will grant the petition. The Court directs Ms. Glenberg to prepare an order reflecting the ruling of the Court.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Randall Lowe". The signature is written in a cursive style with a large initial "C" and a long, sweeping underline.

C. Randall Lowe, Judge

CRL/lg