

Non-Suit Filed by Petitioners for Evans' Removal:

Will Seek Legislative Action to Clarify VA Code Section 24.2-233 through 235

Falls Church, VA On Wednesday, Dec. 26, a Non-Suit was filed by Petitioners seeking the removal of Sandra Sue Evans from the Fairfax County School Board. The Non-Suit was a necessary step to avoid the Court's granting of Evans' Motion to Quash our [Petition](#) based on a March 1, 2018 Virginia Supreme Court decision that altered the interpretation of the Virginia Code sections covering removal and overturned a long-standing 1989 opinion from the Virginia Attorney General.

The petition procedure followed in compiling signatories for Evans' removal was a plain English reading of the pertinent [Virginia Statutes](#) as interpreted by Virginia's Attorney General in 1989. ([See page 221.](#)) That interpretation makes it clear that it is only necessary for those collecting signatures to sign under penalty of perjury and not the individual signatories themselves.

“We will work to have the Virginia General Assembly address the issue of clarifying the pertinent removal petition statutes during the upcoming legislative session so that their intent is clear,” said Ron Martinson who served on Evans' Ad Hoc Committee to determine whether to rename J.E.B. Stuart High School. “We intend to re-file the petition to remove Sandra Evans as soon as it is feasible.”

“This was a citizen-based initiative started in November 2017 and we followed the published Code to the letter,” stated Vince Nettuno, a J.E.B. Stuart alumnus and former Ad Hoc Committee member. “Virginia doesn't publish changes to its Codes made by Supreme Court decisions,” he noted. “Citizen Initiatives get derailed by the lack of transparency in our legal system.”

After collecting and verifying over 1,300 signatures of citizens from the Mason District who agree that School Board member Sandra Sue Evans ought to be removed from office for cause, a petition making that request was filed in the Fairfax County Circuit Court. Those collecting the signatures painstakingly verified that each signatory was a registered voter in Mason District, surpassing the required number of signatures. Evans knew the required number had been well-surpassed when she announced that she would not run again in 2019.