COURT OF APPEALS OF VIRGINIA

Present: Judges Willis, Bumgardner and Senior Judge Overton
Argued at Richmond, Virginia

ARTIS ORLANDO McDONALD

                                    MEMORANDUM OPINION[*] BY
v.   Record No. 0679-99-2   JUDGE RUDOLPH BUMGARDNER, III
                                         MAY 16, 2000
COMMONWEALTH OF VIRGINIA

            FROM THE CIRCUIT COURT OF THE CITY OF RICHMOND
                  Ernest P. Gates, Judge Designate

            Elwood Earl Sanders, Jr., Appellate Defender
            (S. Jane Chittom, Appellate Counsel; Public
            Defender Commission, on briefs), for
            appellant.

            Stephen R. McCullough, Assistant Attorney
            General (Mark L. Earley, Attorney General;
            Leah A. Darron, Assistant Attorney General,
            on brief), for appellee.

    A jury convicted the defendant of malicious wounding and

use of a firearm in the commission of malicious wounding. On

appeal, the defendant claims the circuit court lacked

jurisdiction because the Commonwealth failed to serve notice of

the proceeding in the juvenile and domestic relations district

court upon his father as required by former Code §§ 16.1-263 and

-264. We conclude the trial court had jurisdiction and affirm

the convictions.

_____

Petitions charging the offenses were filed in the juvenile and domestic relations district court. The offense date was January 10, 1997. The juvenile and domestic relations district court found probable cause and certified the charges. The grand jury indicted the defendant, and the circuit court tried the defendant with a jury, which convicted.

Moore v. Commonwealth, 259 Va. 405, 410, __ S.E.2d __, __ (2000), held that Code § 16.1-269.1(E) cured a defect in a juvenile court proceeding resulting from failure to notify the defendant's father of the proceedings pursuant to Code §§ 16.1-263 and -264. Code § 16.1-269.1(E) applies to offenses committed after July 1, 1996. This offense occurred after that date, and a grand jury indicted the defendant. Accordingly, the indictment cured any defect that occurred, and we affirm the convictions.

Affirmed.