

[Residents near Lee statue plan to file brief in favor of removal; Attorney: Legal brief urging removal of Lee statue will be filed by more than 50 nearby residents](#)

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Body

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More than 50 residents in the area near the Robert E. Lee monument plan to file a brief with the Virginia Supreme Court supporting Gov. Ralph Northam's plans to remove the statue, according to a lawyer representing them.

A suit filed by five residents near the 130-year-old statue, the focus of Black Lives Matter and other protests this year, has been blocking its removal. On Tuesday, a Richmond Circuit Court judge ruled against the plaintiffs.

Patrick McSweeney, a lawyer representing the plaintiffs, said that they filed a notice of appeal with the high court on Thursday. He added that there will be no additional argument at this point.

Also on Thursday, Circuit Judge W. Reilly Marchant amended his earlier ruling so there is now an injunction preventing Virginia from removing the statue, despite the judge finding that the commonwealth had won the case and the statue could be removed, said a spokeswoman for Virginia Attorney General Mark Herring.

Herring's office said Marchant amended his order after Herring filed a motion for reconsideration arguing that the judge was not empowered to keep the statue up after ruling in favor of the commonwealth.

"Attorney General Herring will continue this fight until this divisive memorial to Virginia's racist past is finally brought down and he will continue to push for a final resolution as quickly as possible," said the spokeswoman.

Greg Werkheiser, a Richmond lawyer and co-founder of Cultural Heritage Partners LLC, said Thursday that he is preparing a brief to file with the justices supporting removing the statue on behalf of other neighbors of the monument.

"We are approaching 50 neighbors who have joined a group they are calling Circle Neighbors, and more people seem to be joining now by the hour," said Werkheiser. "It's picked up substantially."

"The members of that group now vastly outnumber the ... residents who are plaintiffs in that lawsuit, demonstrating, perhaps contrary to public perception, that most of the residents in the Monument Avenue Historic District envision a neighborhood that is both inspiring and inclusive," Werkheiser said.

"That means to them, removing Lee and re-imagining Lee Circle and the entirety of the avenue," he added.

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One of the new group's members, Monument Avenue resident Coleen Butler Rodriguez, wrote in an email that "Richmond has an opportunity and an obligation to be the city where healing begins and moving the Lee statue is an important way to advance that hard work."

Werkheiser said the neighbors include residents who have lived in the neighborhood for as long as 48 years and who have resided for a collective 600-plus years in homes that look directly upon the Lee monument.

Werkheiser said he and another lawyer with his firm, Will Cook, have been retained by Circle Neighbors. Werkheiser said the firm advised Mayor Levar Stoney in his successful effort to remove the city's other Confederate monuments.

He said they will be filing a friend-of-the-court brief supporting the commonwealth's arguments for the appropriateness of removal and of Marchant's decision.

McSweeney declined to comment Thursday on the Circle Neighbors group or the planned amicus brief.

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Graphic

The statue of Confederate Gen. Robert E. Lee on Monument Avenue became a site of activism and protest over the summer. Alexa Welch Edlund/TIMES-DISPATCH The statue of Confederate Gen. Robert E. Lee on Monument Avenue became a site of activism and protest over the summer. Alexa Welch Edlund/TIMES-DISPATCH Werkheiser Greg Werkheiser Werkheiser Greg Werkheiser The Robert E. Lee monument is the last Confederate statue standing on Monument Avenue in Richmond. JAMES H. WALLACE/TIMES-DISPATCH The Robert E. Lee monument is the last Confederate statue standing on Monument Avenue in Richmond. JAMES H. WALLACE/TIMES-DISPATCH Visitors approached the Robert E. Lee statue on Monument Avenue after sunset on a recent evening. JAMES H. WALLACE/TIMES-DISPATCH Visitors approached the Robert E. Lee statue on Monument Avenue after sunset on a recent evening. JAMES H. WALLACE/TIMES-DISPATCH Northam and Herring on ruling to remove the Lee statue in Richmond

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