

Virginia:

In the Circuit Court of the City of Richmond, John Marshall Courts Building

TRIAL AND DISMISSAL ORDER

FIPS CODE: 760

Hearing Date: **June 7, 2007**

Judge: **Richard D. Taylor, Jr.**

COMMONWEALTH OF VIRGINIA

v.

[REDACTED] DEFENDANT

The defendant came before the Court for trial led by the Sheriff of this City and appeared with retained counsel, **Mitchell Wells**. The Commonwealth was represented by **Ann Baskerville**.

The **defendant** was arraigned and **pled NOT GUILTY** to the following offenses:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION	VCC REFERENCE
CR07F- [REDACTED]	Possession of Cocaine with Intent to Distribute (F)	09/23/06	18.2-248	NAR3043-F9
CR07F- [REDACTED]	Possession of Methylenedioxyamphetamine (F)	09/23/06	18.2-250(A)(a)	NAR3022-F5

After having been advised by counsel and by the Court of the right to trial by jury, the defendant knowingly and voluntarily waived trial by jury and with the concurrence of the attorney for the Commonwealth and of the Court, here entered of record, the Court proceeded to hear the evidence without a jury.

After the Commonwealth's evidence, counsel for the defendant moved the Court to strike the evidence, and the Court, having heard the evidence and argument of counsel, denies the motion to strike. The counsel for the defendant renewed the motion to strike the evidence, and after hearing argument of counsel, the Court again denied the motion to strike.

The defendant moved to dismiss, the Court granted the motion to dismiss and rules that the Commonwealth has not met the burden as to Constructive Possession. **The Court hereby DISMISSES the charges** as indicated above.

Departure. The defendant is remanded to jail pending release from custody on this charge.

ENTER: _____

21.23.08

[Signature]
Richard D. Taylor, Jr., Judge

DEFENDANT IDENTIFICATION:

Alias: n/a SSN: **[REDACTED]** DOB: **[REDACTED]** Sex: **Male**