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January 5, 2006

The Honorable Kenneth W. Stolle
Chairman, Courts of Justice Committee
Senate of Virginia
426 General Assembly Building
Richmond, VA 23219

The Honorable David B. Albo
Vice Chairman, Courts of Justice Committee
Virginia House of Delegates
PO Box 406
Richmond, VA 23218

Dear Senator Stolle and Delegate Albo:

In compliance with Chapter 1024, clause 2 of the 2004 Acts of Assembly, below please find information on the number of petitions filed for writs of actual innocence pursuant to Chapter 19.3 of title 19.2 and the dispositions thereof.

As of January 1, 2005, four petitions were pending. A total of thirty-seven petitions were filed in calendar year 2005. Thirty-four petitions were disposed of in the same time period.

Of the thirty-four petitions filed, twenty-nine were summarily dismissed. Four were dismissed following consideration of the Attorney General's response to the petition and petitioner's replies thereto. One petition was dismissed following consideration of the Attorney General's response to the petition, petitioner's reply thereto and the trial court's findings of fact.

As of December 31, 2005, there were seven petitions pending. If you have any questions regarding this report, please contact me.

Sincerely,

Karl R. Hade

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