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KARL R. MADE

ASSISTANT EXECUTIVE SECRETARY &
LEGAL COUNSEL
EDWARD M. MACON

COURT IMPROVEMENT PROGRAM
LELIA BAUM HOPPER, DIRECTOR

EDUCATIONAL SERVICES
CAROLINE E. KIRKPATRICK, DIRECTOR

FISCAL SERVICES
JOHN B. RICKMAN, DIRECTOR

SUPREME COURT OF VIRGINIA



OFFICE OF THE EXECUTIVE SECRETARY
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219-2334
(804) 786-6455

HUMAN RESOURCES
RENÉE FLEMING MILLS, DIRECTOR

JUDICIAL INFORMATION TECHNOLOGY
ROBERT L. SMITH, DIRECTOR

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STEVEN L. DALLE MURA, DIRECTOR

LEGISLATIVE & PUBLIC RELATIONS
KATYA N. HERNDON, DIRECTOR

January 20, 2012

The Honorable Thomas K. Norment, Jr.
Chairman, Senate Courts of Justice Committee
General Assembly Building, Room 621
Capitol Square
Richmond, VA 23219

The Honorable David B. Albo
Chairman, House Courts of Justice Committee
General Assembly Building
P.O. Box 406
Richmond, VA 23218

Dear Mr. Chairmen:

In accordance with Chapter 1024, clause 2 of the 2004 Acts of Assembly, below please find information for calendar year 2011 on the number of petitions filed for writs of actual innocence pursuant to Chapter 19.3 of Title 19.2 and the dispositions thereof.

- Five petitions were pending on January 1, 2011.
- Nineteen petitions were filed in 2011.
- Twenty-three petitions were disposed of in 2011. The dispositions of those cases were as follows:
 - Two writs were granted and petitioner's convictions were vacated, upon the Court's *en banc* hearing of the cases.
 - Fifteen petitions were summarily dismissed.
 - One petition was dismissed without prejudice because a final sentencing order had not been entered.
 - Four petitions were dismissed following consideration of the Attorney General's response to the petition and petitioner's reply thereto, if any.
 - One petition was dismissed by an evenly-divided Court upon the Court's *en banc* rehearing of the case, following the granting of a writ by a panel of judges of the court.
- One petition was pending as of December 31, 2011.

If you have any questions regarding this report, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "KRH", with a small flourish at the end of the "H".

Karl R. Hade

KRH:jrp

cc: Division of Legislative Automated Systems
Cynthia L. McCoy, Clerk of the Court of Appeals of Virginia