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## SUPREME COURT OF VIRGINIA



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January 5, 2022

The Honorable John S. Edwards  
Chair, Judiciary Committee  
Senate of Virginia  
P.O. Box 1179  
Roanoke, VA 24006-1179

The Honorable Charniele L. Herring  
Chair, Courts of Justice Committee  
Virginia House of Delegates  
P.O. Box 11779  
Alexandria, VA 22312

Dear Chairs Edwards and Herring:

In accordance with Chapter 1024, enactment clause 2, of the 2004 Acts of Assembly, please find below information on the number of petitions for writs of actual innocence filed pursuant to Chapter 19.3 of Title 19.2, and the dispositions thereof, for calendar year 2021.

- Twelve petitions were pending on January 1, 2021.
- Thirty-seven petitions were filed in 2021.
- Twenty-eight petitions were disposed of in 2021. The dispositions of those cases were as follows:
  - Twenty-one petitions were summarily dismissed.
  - Seven petitions were dismissed following consideration of the Attorney General's response to the petition and petitioner's reply thereto, if any.
  - No petitions were dismissed following consideration of the Attorney General's response to the petition and petitioner's reply thereto, if any, and the circuit court's findings of fact.
  - No writs were issued, and the convictions vacated.
- Twenty-one petitions are pending as of December 31, 2021.

Amendments to the actual innocence statutes went into effect on July 1, 2020, in the midst of the COVID-19 pandemic. It is anticipated that the filing of actual innocence petitions will increase significantly in the future.

Writs of Actual Innocence Report  
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If you have any questions regarding this report, please do not hesitate to contact me. With best wishes, I am

Very truly yours,

A handwritten signature in black ink, appearing to read 'K R Hade', written in a cursive style.

Karl R. Hade

KRH:jrs

cc: Division of Legislative Automated Systems  
The Honorable Robert B. Bell, Chair-select, House Courts of Justice Committee  
A. John Vollino, Clerk of the Court of Appeals of Virginia