

VIRGINIA: CIRCUIT COURT OF LOUDOUN COUNTY

COMMONWEALTH OF VIRGINIA :

VS. : CRIMINAL NO. [REDACTED]
[REDACTED] :

Social Security Number: [REDACTED] Date of Birth: [REDACTED]

Hearing Date: [REDACTED] Judge Designate: Herman A. Whisenant, Jr.

Hearing Type: Jury Trial

Attorneys for the Commonwealth: [REDACTED] Assistant Commonwealth Attorney

Attorneys for the Defendant: Manuel A. Leiva, retained

Original Charge Description: Count One (1) – Aggravated Malicious Wounding By Mob (F)
Count Two (2) - Assault and Battery By Mob (M)
Count Three (3) – Drunk In Public (M)

Statute/Ordinance Violation Charged: Count One (1) – Virginia Code Section 18.2-51.2 & 18.2-42.1
Count Two (2) – Virginia Code Section 18.2-42
Count Three (3) – Virginia Code Section 18.2-388

Alleged Offense Date: [REDACTED]

Concluding Status of Defendant: acquitted

ORDER

On the [REDACTED] came [REDACTED] an Assistant Commonwealth Attorney, and also came Manuel E. Leiva, counsel for defendant. The defendant, [REDACTED] [REDACTED] who stands indicted of the felony and misdemeanors described above, came as a condition of his bond.

This case came on this day for a jury trial by previous Order entered the [REDACTED].
[REDACTED] The Court will note the jury is at the request of the defendant.

Court, upon consideration and for the reasons stated on the record doth grant the motion as to Count Three (3) – drunk in public and it is ORDERED that Count Three (3) be dismissed. The Court doth deny the motion as to Counts One (1) – aggravated malicious wounding by mob and Count Two (2) – assault and battery by mob.

Defense counsel then proceeded to present evidence.

After hearing the evidence, the instructions of the Court and argument of counsel, the jurors were sent to the jury room to consider their verdict.

At approximately 4:30 P.M. this same day, the jury was excused for the evening. Prior thereto, the Court admonished each member of the jury not to discuss this case with anyone, not to receive any information about this case from the news media, or any other sources, and directed each member of the jury to return, promptly at [REDACTED] to which time this case is continued.

The defendant is ORDERED to be present in Court, at that time.

And the defendant is continued at liberty on bond.

On the [REDACTED] at approximately 8:30 A.M. came all counsel, and the defendant, who came to the bar of this Court as a condition of his bond. Also came all twelve (12) members of the jury. The Court inquired if anyone had received any outside information relative to this case, or whether anyone had approached them about their service as jurors. Each member advised the Court, of record, that they had not received any such information and that no one had approached them about their service as jurors.

They subsequently returned their verdicts in open Court, in the following words:

“We, the jury, upon the evidence, find the defendant [REDACTED] not guilty, as to [REDACTED] signed Carl Schnur, Foreman”; and,

“We, the jury, upon the evidence, find the defendant, [REDACTED] not guilty, as to [REDACTED] signed Carl Schnur, Foreman.”