

Commonwealth of Virginia

Criminal Case #(s) MI-2005-1559

versus

Smith

Trial Date Oct 5, 2005

FAIRFAX CIRCUIT COURT CRIMINAL CASE STATUS FORM

I, Wesley Smith counsel of record for the defendant in this (these) case(s) hereby certify
(PLEASE PRINT)

that on the trial date my client intends to: (CIRCLE ONE)

- A) enter a guilty plea;
- ☒ B) try the case with a jury;
- C) try the case without a jury as the Commonwealth has already consented to a trial without a jury;
- D) try the case without a jury if the Commonwealth agrees to waive jury;
- E) Cannot Be Determined.*

Time Estimate: at least several hours

*Cannot Be Determined means only (1) that the defendant has not maintained contact with defense counsel so that this Case Status Form can be filed in good faith; or (2) that the defendant has not authorized counsel to file this form designating the status of the case as a) guilty plea, b) jury trial, or c) bench trial. It is a condition of each defendant's bond that the defendant maintain contact with and authorize defense counsel to file this Case Status Form in good faith. If defense counsel contends, in good faith after discussions with the defendant, that strategic decisions between counsel and the defendant will in fact determine whether the case will be a guilty plea as opposed to a jury or non-jury trial, defense counsel may designate the case status as either a jury trial or a non-jury trial and should not designate the case as Cannot Be Determined.

This Case Status form must be forwarded to the Court by defense counsel by a) filing in the office of the Clerk of Court (4th Floor, Criminal Division) or b) by facsimile transmission, (703) 359-7898, no earlier than four (4) business days before the trial date and no later than 1:00 p.m. two (2) business days before the trial date. In the event the status of this case changes after the filing of this Case Status Form, counsel should immediately so advise the Criminal Docket Clerk (703) 246-4946 and the Office of the Commonwealth Attorney (703) 246-2776.

10/3/2005

Date

Wesley Smith
Counsel for the Defendant(s)

none

Telephone Number