

IN THE CIRCUIT COURT FOR THE CITY OF CHARLOTTESVILLE

COMMONWEALTH OF VIRGINIA

V.

GEORGE HUGUELY

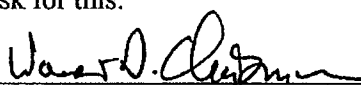
ORDER REGARDING DEFENDANT'S SUPPLEMENTAL MOTION  
TO SET ASIDE THE VERDICTS

CAME BEFORE this Court the defendant, personally and by counsel, and the Commonwealth, by counsel, the 31<sup>st</sup> day of July, 2012, to be heard upon the defendant's request for an evidentiary hearing in furtherance of a Supplemental Motion to Set Aside the Verdicts. Upon consideration of the pleadings, the legal authorities and exhibits submitted by the parties and the arguments of respective counsel the Court hereby denies the defendant's request for a further evidentiary hearing in this matter for reasons stated in its letter opinion to counsel of August 15, 2012 and denies the defendant's requested relief. For purposes of the record of this matter the Court's letter opinion is adopted and incorporated herein by reference.

Entered this 29<sup>th</sup> day of August, 2012.

  
Edward L. Hogshire, Judge  
Charlottesville Circuit Court

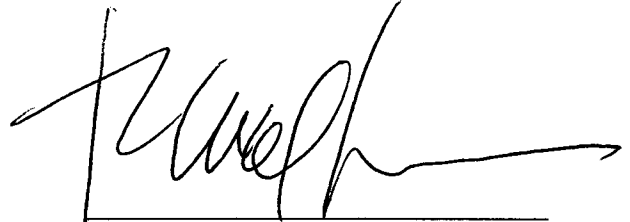
I ask for this:

  
Warner D. Chapman  
For the Commonwealth

Have seen and object:

SEE ATTACHED  
Francis McQ. Lawrence or  
Rhonda Quagliana  
Counsel for Defendant

Seen and objected to on the basis that the ruling of the court as set forth in its opinion letter of August 15, 2012, assumed facts neither proffered or proven; misinterprets Virginia law with respect to “open file policy” and “due diligence”; misinterprets Virginia law with respect to “materiality”; disregards decisions which would require an evidentiary hearing in the circumstances submitted here; and disregards and ignores defendant’s right to develop evidence of secondary and tertiary Brady violations as a result of the initial Brady violation, and for the reasons set forth in his written memorandum and in oral argument.



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Francis McQ. Lawrence  
Rhonda Quagliana  
Counsel for Defendant