

VIRGINIA:

IN THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY


COMMONWEALTH OF VIRGINIA,)	
)	
v.)	Indictment No(s). CR22001684-00
)	CR22001685-00
MICHELE WHITE,)	
<i>Defendant.</i>)	
_____)	

COMMONWEALTH'S MOTION FOR AN ORDER OF NOLLE PROSEQUI

COMES NOW, the Commonwealth, by her Assistant Attorney General, James R. Herring, and moves this Court to *Nolle Prosequi* the above captioned indictments, for the following reasons:

1. In preparation for the scheduled jury trial, the Commonwealth interviewed Sean Mulligan, a key witness for the prosecution who had been previously interviewed by investigators of the Office of the Attorney General.
2. During the interview yesterday in preparation for trial Mr. Mulligan conveniently and quite surprisingly provided a different version of events from that which he had previously provided to investigators.
3. As a consequence, the Commonwealth is confronted with significant inconsistent statements made by a key Commonwealth's witness.
4. Accordingly, the Commonwealth is no longer able to proceed to trial on the two felony charges.
5. Therefore, as our ethical responsibilities mandate, we are moving this court to enter an order of *Nolle Prosequi* the two above-captioned felony indictments.

Respectfully Submitted.



JAMES R. HERRING

Assistant Attorney General

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CERTIFICATE

I hereby certify that on the 1st day of December 2023, a copy of the foregoing motion was hand delivered to Zachary Stafford, counsel for the defendant.



James R. Herring

Assistant Attorney General

CIRCUIT COURT CLERK OFFICE
PRINCE WILLIAM COUNTY, VA
FILED: 12/1/23 in court
Debra
DEPUTY CLERK