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Northern VA  
Capital Defender

**VIRGINIA:**

IN THE CIRCUIT COURT FOR THE COUNTY OF STAFFORD,

HELD ON THE 28TH DAY OF JUNE, 2007

PRESENT: THE HONORABLE J. MARTIN BASS, JUDGE

**COMMONWEALTH OF VIRGINIA**

CASE # CR06001031-00 TO 09

& CR07000243-00

v.

OFFENSE DATE: 07/18/2004 – 07/18/2006

DOB: 06/25/1975

SSN: UNKNOWN

**JOSE SANTOS PORTILLO-CHICAS**

**ORDER**

**THIS DAY** came the defendant, **Jose Santos Portillo-Chicas**, who was led to the bar in the custody of the Sheriff, and who stands indicted for ten (11) felonies, to-wit: First Degree Murder, in violation of Section 18.2-32 of the Code of Virginia, Abduction, in violation of Section 18.2-48 of the Code of Virginia, Use of Firearm, in violation of Section 18.2-53.1 of the Code of Virginia, Criminal Street Gang Participation, in violation of Section 18.2-46.2 of the Code of Virginia, Conspiracy to Commit Murder, in violation of Section 18.2-22 of the Code of Virginia, Conspiracy to Commit a Felony, in violation of Section 18.2-22 of the Code of Virginia, Robbery, in violation of Section 18.2-58 of the Code of Virginia, Capital Murder, in violation of Section 18.2-31(1) of the Code of Virginia, Capital Murder, in violation of Section 18.2-31(4) of the Code of Virginia, Lynching / Mob Violence, in violation of Sections 18.2-39, 18.2-40 of the Code of Virginia, and illegal possession of a firearm by an illegal alien, in violation of Section 18.2-308.2:01 of the Code of Virginia, and came his attorneys Joseph Flood, Alan Bareford and Daniel Morissette and came also the Attorney for the Commonwealth.

Thereupon, the defendant, by counsel, moved the Court to require the Attorney for the Commonwealth to give 60 days before trial notice of intent to present evidence of unadjudicated criminal conduct and such motion is granted. With regard to the prior convictions notice, the Court denies the motion to require notice other than the fourteen day notice set forth in Section 19.2-295.1

The defendant, by counsel, then moved the Court to appoint an expert, namely Dr. Cunningham, on prison violence risk, and such motion is granted over the objection of the Attorney for the Commonwealth.

Counsel for the defendant then moved to allow the defendant to investigate and present a

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defense without giving the prosecution an unfair and unconstitutional advantage, or to have the Court reconsider the prior motion and the Court denies the new motion as presented and declines to reconsider the prior motion. The exception of counsel is noted.

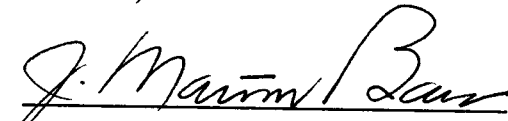
The defendant's motion for funds to investigate and appoint an expert pursuant to statute is granted and the Court allows no more than \$75.00 per hour.

Counsel for the defendant then moved for written responses and 5 day notices and it appearing to the Court that this issue has been previously ruled on, the Court declines to change prior order and the time requirements will remain the same as previously ordered.

The motion of the defendant, by counsel for advance of travel funds is denied for reasons as stated to the record, and the exception of counsel is noted.

Whereupon, this case is continued to July 20, 2007 at 9:00 a.m. for hearings on further motions to be filed, and the defendant was remanded to the custody of the Sheriff.

ENTERED THIS 6<sup>th</sup> DAY OF JULY, 2007

  
J. Martin Bass, Judge

CLERK OF COURT  
ROBERT G. BENTLEY, CLERK  
COURT OF JUSTICE OF STAFFORD

