

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
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Granted Appeal Summary

Case

MONIQUE ALICIA WILLIAMS V. COMMONWEALTH OF VIRGINIA
(Record Number 220034)

From

The Circuit Court of Arlington County.

Counsel

Dennis M. Mersberger (Schmergel & Mersberger, PLC) for appellant.

Paula M. Trahos (Office of the Commonwealth's Attorney) for appellee.

Assignments of Error

1. The trial court erred by denying appellant's petition for expungement by holding the appellant was not an "innocent citizen' falsely accused and unjustly convicted," because the amendment of appellant's original felony charge of accessory after the fact of homicide to the charge of misdemeanor obstruction of justice was a charge of the same "nature or character" and therefore not "otherwise dismissed" as contemplated by Dressner even though the amended charge was a new offense not lesser included to the felony charge appellant sought to expunge.
2. The trial court erred by denying appellant's petition for expungement while relying on so-called facts provided to the Arlington County Circuit Court in the matter of Commonwealth of Virginia v. Jason Allen Johnson, (CR18-379, -393-395) to reach the conclusion that obstruction of justice and accessory after the fact to homicide are not completely different or separate or unrelated charges as held by the trial court in the Memorandum Opinion.
3. The trial court erred by denying the appellant's petition for expungement in reliance upon Necaise v. Commonwealth, 281 Va. 666 (2011) as controlling authority and in disregard or misapplication of this court's decision in Dressner v. Commonwealth, 285 Va. 1 (2013).