COURT OF APPEALS OF VIRGINIA

Record No. 0718-26-3

JAHMALIK DORENZO HARRIS
v.
COMMONWEALTH OF VIRGINIA

Present: Judges Friedman, White and Frucci

Opinion Issued October 13, 2026*

FROM THE CIRCUIT COURT OF THE CITY OF DANVILLE
James J. Reynolds, Judge

(Jason W. Todd, Jr.; The Law Office of J.W. Todd, PLLC, on brief), for appellant.

(Jay Jones, Attorney General; Israel-David J.J. Healy, Assistant Attorney General, on brief), for appellee.

MEMORANDUM OPINION
PER CURIAM

Jahmalik Dorenzo Harris pleaded guilty to malicious wounding, conspiracy to commit malicious wounding, and statutory burglary. After a hearing, the circuit court sentenced Harris to 25 years in prison, with 23 years suspended. On appeal, Harris asserts that the circuit court erred by: (1) accepting his guilty plea without first conducting a sufficient inquiry into the voluntariness of his plea; (2) failing to order a competency evaluation or otherwise inquire into his competency to enter his guilty plea; (3) accepting his guilty plea when the Commonwealth failed to provide a sufficient factual basis that he "knowingly and voluntarily entered into an agreement to commit the offense"; and (4) imposing a sentence that was "disproportionate to [his] culpability" after

* This opinion is not designated for publication. *See* Code § 17.1-413(A).

failing to give adequate weight to the "substantial mitigating evidence presented." For the following reasons, we affirm the circuit court's judgment.[1]

BACKGROUND[2]

In April 2025, Danville Police responded to an assault involving a baseball bat. Upon arrival, the officers observed R.C.[3] with a deep, bleeding laceration to the top of his head that was approximately three to four inches long and badly swollen. He also had disfigured hands and arms. R.C. stated that he was attacked by a group of people comprised of three males and one female. He knew some of them because they had worked for the same person, Charlie Clay Jr. R.C. stated that the group of individuals had confronted him with respect to a drill that he allegedly stole from Clay. When he denied having taken the drill, one of the males in the group began to hit R.C. with a baseball bat and continued to beat him as R.C. stepped back into his residence. Once inside, one of the other males threatened him with an air pistol and struck him in the head with it, causing the laceration. R.C. stated that the female in the group filmed the entire incident. R.C. was transported to the hospital for treatment of his injuries.

Harris was later identified as one of the males in the group and was detained. During an interview with police, Harris stated that he was approached by Krystian Beard, Terrance Reeves, and his sister, Shyantel Harris ("Shyantel"). Beard, Reeves, and Shyantel told Harris that they had a

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[1] Having examined the briefs and record in this case, the panel unanimously agrees that oral argument is unnecessary because "the appeal is wholly without merit." Code § 17.1-403(ii)(a); Rule 5A:27(a).

[2] We recite the facts "in the 'light most favorable' to the Commonwealth, the prevailing party in the trial court." *Hammer v. Commonwealth*, 74 Va. App. 225, 231 (2022) (quoting *Commonwealth v. Cady*, 300 Va. 325, 329 (2021)). In doing so, we discard any evidence that conflicts with the Commonwealth's evidence, and regard as true all the credible evidence favorable to the Commonwealth and all inferences that can be fairly drawn from that evidence. *Cady*, 300 Va. at 329.

[3] We use initials, rather than names, to protect the privacy of the victim.

mission from Clay to go beat up R.C. to "teach him a lesson for stealing things." Harris said he went with the other three to R.C.'s house. Harris knocked on the door and drew R.C. outside where the others confronted R.C. about the drill. Harris explained that Reeves and Beard began attacking R.C. Harris conceded that he entered R.C.'s house while this occurred but he denied striking R.C. Harris was later indicted for his participation in the assault.

In November 2025, Harris appeared in the circuit court and pleaded guilty to malicious wounding, conspiracy to commit malicious wounding, and statutory burglary. According to the written plea agreement, Harris understood that he was waiving his right to appeal, admitted that he committed the offenses, and agreed that his punishment would be decided by the court. The agreement also provided that in exchange for his guilty plea, the Commonwealth would nolle pros two other charges and Harris "shall receive no more than eight years active incarceration." By signing the agreement, Harris affirmed that he was pleading guilty "freely and voluntarily" to the offenses.

Before accepting his guilty plea, the circuit court conducted a colloquy with Harris to ensure that he was, in fact, pleading guilty freely and voluntarily. The circuit court inquired if Harris could read and write, if he had the opportunity to discuss the charges and any defenses he had with his attorney, and if, after discussing the matter with his attorney, he had decided for himself to plead guilty. Harris answered each question affirmatively. The circuit court also confirmed that Harris knew he was giving up certain rights, such as the right to be tried by a jury, the right to remain silent, the right to confront and cross-examine the witnesses, and the right to appeal the court's decision. The circuit court went over the maximum penalties for Harris's crimes and asked if he understood that the court did not have to follow the guidelines. Harris acknowledged that he understood. The circuit court inquired if Harris understood that by pleading guilty, he might lose the right to vote and to possess a firearm. Harris again stated that he understood.

When the circuit court asked if Harris had "entered into a formal plea agreement with the Commonwealth['s] Attorney," Harris responded: "What that means, sir?" Harris's counsel explained, "Judge, there is no written plea agreement. We had this charge agreement, and obviously the plea guilty form the Court has in front of it, so I guess that would constitute a written [agreement]."[4] The circuit court responded, "Yeah, I mean, there's a cap on the sentence . . . [s]o, I mean, I think that does constitute a plea agreement." The circuit court inquired of Harris, "[s]o, do you understand there is a plea agreement, Mr. Harris?" and Harris responded, "Yes sir." Harris then affirmed that he had read the plea agreement and discussed it with his attorney.

Finally, the circuit court asked if Harris had taken any medications or "consumed any alcohol, drugs, or anything else that could affect [his] ability to understand and participate in" the proceedings, to which Harris replied, "Yes sir. I haven't, I haven't done like, like bad drugs, but only marijuana." The circuit court asked, "[A]re you under the influence of marijuana right now?" and Harris responded, "No, it just helped me with my anxiety. That's it." The circuit court pressed, "Okay. All right. Have you used any today?" Harris replied, "Oh, no, sir." After confirming that Harris's answers were all "true and correct," the circuit court found that his "pleas of guilty [were] made freely, voluntarily, intelligently, with the full knowledge and understanding of the consequences" of his pleas. The circuit court ordered a presentence investigation report (PSR) and scheduled the matter for sentencing.

[4] Despite counsel's statements before the circuit court, we note that the record contains a document, signed by Harris, entitled "Plea of Guilty to a Felony," which contains all the terms agreed upon by the parties, including that his active sentence was capped at eight years in prison.

At the sentencing hearing, the circuit court admitted the PSR and the sentencing guidelines[5] and then took evidence. Harris's brother, Kierre Edmunds, testified that he and Harris shared a mother but had different fathers. He testified that the two were not close at the time of the offenses but had since rekindled their relationship. Edmunds confirmed that Harris had two jobs, and he agreed with counsel that Harris was "simple" and "a little naive." Edmunds confirmed that Harris had some mental health issues for which he received services and that Harris required Edmunds's assistance to get to his medical appointments.

Harris testified that he was living in a motel provided by Danville-Pittsylvania Community Services (DPCS). Harris confirmed that he has mental health issues, including "ADHD, PTSD, ODD," but he said, "it's mainly just ADHD and PTSD." Harris also saw a counselor and was on "Depakote." Harris stated that he had no further contact with his codefendants after the assault but admitted that he went with them to R.C.'s house and knocked on the door. He testified:

> I went in after they went in just to try to stop the fight because I didn't know what was going to take place. They didn't tell me until . . . they just told me what they said was go knock on doors since you know them. So, I went to go knock on doors since I knew them. Then next thing you know, I seen Terrence swing. When I knocked on the door, he said he didn't steal no drill. So, I stepped back and next thing you know, I seen Terrence swinging [the] bat and it hit him. So, when he walked in, I walked in and I tried to Like, I didn't try to like pull him off of him or nothing like that. I tried to let him know like that, don't do it, don't do it. He just kept beating him and [Krystian] just kept beating him, and my sister pulled out the phone and started recording.

Harris denied that he "[went] along" with his codefendants and insisted that he "didn't even know the plan." He explained, "all I knew was they told me to knock and I knocked. That's all I did. I didn't do nothing else." Harris said he did not see the bat or the gun until they arrived at

[5] The sentencing guidelines recommended a range of punishment of two years and four months at the low end to six years and one month at the high end.

R.C.'s house and that when he asked about them, his codefendants said, "don't worry about it. We finna do some business." So, Harris knocked on the door and when R.C. answered, he "stepped back" and "that's when all the incident happened." Harris said he regretted his involvement in the assault.

Harris asked the circuit court to sentence him to probation. In support of that recommendation, Harris noted his young age, his lack of any prior criminal history, the fact that his sister was a "negative influence" in his life, and that he was the "least culpable" of all the codefendants. He also emphasized his "developmental delays [and] cognitive difficulties" and suggested that he might lose his two jobs and the services he received for his mental health issues. Harris concluded: "[W]e're asking the Court to make that adjustment to the low end [of the guidelines], to give him a high suspended sentence, to give him a lot of probation, but not to send him to active incarceration."

The Commonwealth agreed that Harris was the least culpable "in terms of actually laying hands" on R.C. but argued that active incarceration is still "warranted in this case," based on the fact that Harris went with his codefendants to R.C.'s house to confront R.C. and while there "beat [R.C.] within an inch of his life." The Commonwealth noted that Harris was "the one who knows the guy, so he sets him up" and he knew that his codefendants had the bat and the gun and that they were there "to take care of business." The Commonwealth argued "that type of behavior . . . and his active participation in beginning it and commencing it means that he should receive some active jail sentence."

In allocution, Harris stated that he was doing much better in his life with the help of his brother and the services he was receiving from DPCS and therefore opined that he could do much better with his life if he was placed on probation rather than incarcerated.

The circuit court responded: "Well, Mr. Harris, I appreciate your statement, and I understand your role in this was more limited than perhaps some of the others. But, you know, when you agree to participate in an action with multiple other people[, y]ou're effectively giving them a license to do it, and you become equally responsible for . . . their conduct." The circuit court sentenced Harris to 25 years in prison, with 23 years suspended.

On January 27, 2026, Harris filed a *pro se* "request for appointment of new counsel," stating that he received ineffective assistance of counsel and that he "did not fully understand the consequences of the plea or the sentence that would be imposed." Harris also filed a *pro se* "motion to reconsider sentence" wherein Harris argued that the sentence was excessive, would not meet goals of punishment and rehabilitation, that "no serious physical injury resulted from the offense," and that he has mental disabilities that impaired his understanding of his plea.

On February 9, 2026, Harris's defense counsel filed a letter with the court wherein counsel attached a "Memorandum of Understanding and Acknowledgement Regarding Representation by Court-Appointed Counsel" (the "memorandum"). Counsel submitted the document "solely to aid the [c]ourt in its consideration of the Defendant's motions and to ensure the accuracy of the procedural record."

The memorandum stated that its purpose was to "accurately memorializ[e] the scope of representation, advice provided, actions taken, and decisions made during Counsel's representation." In it, Harris acknowledged that his counsel diligently attempted to communicate with him, reviewed evidence with him, and fully explained plea offers and potential consequences. The memorandum affirmed that counsel "did not observe behavior indicating [Harris] was incompetent to proceed," that Harris never "assert[ed] an inability to understand proceedings at the time of plea or sentencing," and that statements in Harris's prior motions did "not accurately reflect Counsel's representation as set forth above." The memorandum added

that Harris filed his prior motions "independently." Both Harris and his counsel signed and agreed to the memorandum. On February 17 and 19, 2026, the circuit court denied Harris's *pro se* motions. Harris appeals.

ANALYSIS

I. Guilty Pleas

Harris argues that the circuit court erred by: (1) accepting his guilty plea without first conducting a sufficient inquiry into the voluntariness of his plea; (2) failing to order a competency evaluation or otherwise inquire into his competency to enter his guilty plea; and (3) accepting his guilty plea when the Commonwealth failed to provide a sufficient factual basis that he "knowingly and voluntarily entered into an agreement to commit the offense." However, Harris neither objected nor made these arguments before the circuit court accepted his plea. "No ruling of the trial court . . . will be considered as a basis for reversal unless an objection was stated with reasonable certainty at the time of the ruling, except for good cause shown or to enable this Court to attain the ends of justice." Rule 5A:18. "The purpose of this contemporaneous objection requirement is to allow the trial court a fair opportunity to resolve the issue at trial, thereby preventing unnecessary appeals and retrials." *Creamer v. Commonwealth*, 64 Va. App. 185, 195 (2015). "Specificity and timeliness undergird the contemporaneous-objection rule, animate its highly practical purpose, and allow the rule to resonate with simplicity." *Bethea v. Commonwealth*, 297 Va. 730, 743 (2019). "Not just any objection will do. It must be both *specific* and *timely*—so that the trial judge would know the particular point being made in time to do something about it." *Id.* (quoting *Dickerson v. Commonwealth*, 58 Va. App. 351, 356 (2011)). If a party fails to timely and specifically object, he waives his argument on appeal. *Arrington v. Commonwealth*, 53 Va. App. 635, 641-42 (2009).

Harris concedes that he did not preserve any of these arguments for appeal but asks this Court to consider them under the ends of justice exception to Rule 5A:18. "'The ends of justice exception is narrow and is to be used sparingly,' and applies only in the extraordinary situation where a miscarriage of justice has occurred." *Holt v. Commonwealth*, 66 Va. App. 199, 209 (2016) (en banc) (quoting *Redman v. Commonwealth*, 25 Va. App. 215, 220 (1997)). Whether to apply the ends of justice exception involves two questions: "(1) whether there is error as contended by the appellant; and (2) whether the failure to apply the ends of justice provision would result in a grave injustice." *Commonwealth v. Bass*, 292 Va. 19, 27 (2016) (quoting *Gheorghiu v. Commonwealth*, 280 Va. 678, 689 (2010)). "In order to avail oneself of the exception, a defendant must affirmatively show that a miscarriage of justice has occurred, not that a miscarriage *might* have occurred." *Redman*, 25 Va. App. at 221. "The burden of establishing a manifest injustice is a heavy one, and it rests with the appellant." *Holt*, 66 Va. App. at 210 (quoting *Brittle v. Commonwealth*, 54 Va. App. 505, 514 (2009)). "Where the record does not affirmatively establish error, we cannot invoke the ends of justice exception to Rule 5A:18." *Smith v. Commonwealth*, 59 Va. App. 710, 724 (2012).

"A plea of guilty is constitutionally valid only to the extent it is 'voluntary' and 'intelligent.'" *Bousley v. United States*, 523 U.S. 614, 618 (1998) (quoting *Brady v. United States*, 397 U.S. 742, 748 (1970)); *see Terry v. Commonwealth*, 30 Va. App. 192, 197 (1999) (en banc). Therefore, to withstand scrutiny on appeal, the record must contain "an affirmative showing that [the guilty plea] was intelligent and voluntary." *Boykin v. Alabama*, 395 U.S. 238, 242 (1969). Consistent with those principles, Rule 3A:8(b)(1) provides that a circuit court "may not accept a plea of guilty or nolo contendere to a felony charge without first determining that the plea is made voluntarily with an understanding of the nature of the charge and the consequences of the plea."

Here, the record refutes Harris's assertion that his plea was "constitutionally insufficient." Before accepting his guilty plea, the circuit court conducted a lengthy and detailed colloquy with Harris to ensure that he was pleading guilty freely and voluntarily. The circuit court confirmed that Harris could read and write, that he had discussed the elements of each offense and any defenses he had with his attorney, that he realized that he was giving up certain constitutional and personal rights, that he understood the maximum penalties for his crimes, and that he read and understood the terms of his plea agreement. The circuit court also confirmed that Harris was satisfied with the services of his attorney. And the written plea agreement signed by Harris stated that he entered his guilty plea "freely and voluntarily."

While Harris used marijuana at some point in his life to "help[him] with [his] anxiety," this does not in itself render him incapable of knowingly and voluntarily pleading guilty. He told the circuit court that he did not use marijuana on the day he entered his guilty plea and denied being "under the influence of marijuana right now." Nor did his "documented cognitive limitations" suggest that his plea was involuntary. The record contains no evidence that his mental health issues precluded him from knowingly and voluntarily entering his guilty plea. Indeed, the memorandum, which was signed by Harris and his attorney, stated that his attorney "communicated plea discussions and offers from the Commonwealth, including an offer that eliminated mandatory minimum sentencing exposure," that counsel "explained the nature of the charges, potential defenses, sentencing ranges, and collateral consequences," and that the "ultimate decision to enter a guilty plea was made voluntarily by the Defendant, and was not the result of coercion, threats, or improper pressure by Counsel."

Thus, there is no evidence on this record to suggest that Harris's pleas were constitutionally unsound. His pleas were made knowingly, voluntarily, and intelligently.

Similarly, the circuit court was not required under the facts of this case to order, sua sponte, a competency evaluation of Harris before accepting his guilty plea.

> If, at any time after the attorney for the defendant has been retained or appointed and before the end of trial, the court finds, upon hearing evidence or representations of counsel for the defendant or the attorney for the Commonwealth, that there is probable cause to believe that the defendant . . . lacks substantial capacity to understand the proceedings against him or to assist his attorney in his own defense, the court shall order that a competency evaluation be performed by at least one psychiatrist or clinical psychologist . . . .

Code § 19.2-169.1(A). Indeed, "[c]ore due process principles forbid" trying an incompetent defendant. *Smith v. Commonwealth*, 48 Va. App. 521, 532 (2006). "Absent evidence to the contrary, however, courts presume the competency of an accused to stand trial." *Id.* "The burden of proof rests on the accused (or someone acting on his behalf) to show he 'lacks substantial capacity to understand the criminal proceedings' or is 'incapable of assisting counsel' in his defense." *Id.* (quoting *Orndorff v. Commonwealth*, 271 Va. 486, 499-500 (2006)). Mental illness standing alone "does not necessarily render a defendant incompetent." *Id.* "Even a diagnosable psychiatric disorder, like delusional paranoia, does not automatically make a defendant incompetent." *Id.* (citing *Bramblett v. Commonwealth*, 257 Va. 263, 273 (1999)). "Whatever his mental state, a defendant remains competent so long as he has a substantial capacity to understand the criminal proceedings and to assist counsel in his defense." *Id.*

Here, there is nothing on the record that supports Harris's contention that the circuit court should have ordered a competency evaluation. The record shows that during the guilty plea hearing, Harris appeared to understand all the court's questions and gave clear and responsive answers. The mere fact that he did not understand the court's question about the existence of a plea agreement did not render him incompetent to plead guilty, as he claims. Rather, after the circuit court clarified its question, Harris acknowledged that he had a written plea agreement and

at all times presented as lucid, articulate, and aware. He also testified confidently at the sentencing hearing and rendered an intelligent and reasonable statement in allocution.

We further note that the record contains no indication that the circuit court observed any outbursts or displays of irrational or volatile behavior. And according to the memorandum, Harris's counsel "did not observe behavior indicating [that Harris] was incompetent to proceed" or that Harris ever "assert[ed] an inability to understand [the] proceedings at the time of [the] plea" or at sentencing. "Counsel is 'obviously in a superior position' to evaluate a client's ability to understand the proceedings." *Smith*, 48 Va. App. at 535-36 (quoting *United States v. Caicedo*, 937 F.2d 1227, 1233 (7th Cir. 1991)). "It naturally follows that counsel's decision not to demand that the [proceedings] stop and the defendant be immediately evaluated can be considered 'probative of whether *bona fide* doubt' exists as to the defendant's competence to stand trial." *Id.* at 536 (quoting *Caicedo*, 937 F.2d at 1233).

In short, the record does not support Harris's contention that the circuit court erred by failing to order a competency evaluation. Nothing suggested to the court that such an evaluation was necessary.

Lastly, by pleading guilty to the offense, Harris waived any right he had to challenge the sufficiency of the evidence. "By pleading guilty, the defendant waives many important constitutional rights, such as the privilege against self-incrimination, the right to a trial by jury, the right to confront witnesses, the right to demand that the prosecution prove its case beyond a reasonable doubt, and the right to object to illegally obtained evidence." *Dowell v. Commonwealth*, 12 Va. App. 1145, 1149 (1991). Indeed, "[a] plea of guilt constitutes a 'self-supplied conviction.'" *Terry*, 30 Va. App. at 197. Thus, by pleading guilty to the charge of conspiracy, Harris provided all the evidence necessary to convict him for that charge and has waived his right to appeal his conviction on a claim that the evidence was insufficient.

In any case, "[i]n order to invoke the ends of justice exception when sufficiency of the evidence has been raised for the first time on appeal, an appellant must do more than show that the Commonwealth *failed* to prove an element or elements of the offense." *Redman*, 25 Va. App. at 221. "In order to show that a miscarriage of justice *has* occurred, thereby invoking the ends of justice exception, the appellant must demonstrate that he or she was convicted for conduct that was not a criminal offense or the record must affirmatively prove that an element of the offense did not occur." *Quyen Vinh Phan Le v. Commonwealth*, 65 Va. App. 66, 74 (2015) (quoting *Redman*, 25 Va. App. at 221-22). In this case, the statement of facts that was admitted into evidence supported Harris's conspiracy conviction.

"A conspiracy is 'an agreement between two or more persons by some concerted action to commit an offense.'" *Smallwood v. Commonwealth*, 72 Va. App. 119, 128 (2020) (quoting *Combs v. Commonwealth*, 30 Va. App. 778, 787 (1999)). The record shows that Harris, by his own admission, went with his codefendants to R.C.'s house specifically to beat him up. Harris's role was to knock on the door so R.C., who knew Harris, would answer. When R.C. answered the door, Harris and his codefendants entered his house and beat him "within an inch of his life." Although Harris did not use the gun or the bat to harm R.C., he knew his cohorts had those weapons and that they were there to do "business." He then entered the house behind them and remained at the scene during the assault. Harris notably did not seek help for R.C. Thus, the record shows an adequate agreement between Harris and his codefendants to commit an offense. It follows that the circuit court did not err in accepting Harris's guilty plea to the conspiracy in which he was involved.

In summation, Harris has failed to carry his burden of proving manifest injustice in this case. Even though due process requires "an affirmative showing [on the record] that the waiver embodied in the plea of guilty is intelligently, voluntarily and knowingly made," *Allen v.*

Commonwealth, 27 Va. App. 726, 731 (1998) (alteration in original) (quoting *Graham v. Commonwealth*, 11 Va. App. 133, 139 (1990)), "[e]rror alone, even a violation of constitutional principles, is not sufficient to warrant application of the ends of justice exception to Rule 5A:18," *West v. Commonwealth*, 43 Va. App. 327, 339 (2004). Harris bore the burden of demonstrating to us that he suffered a "grave injustice" characterized by an inexcusable "denial of essential rights." *Winslow v. Commonwealth*, 62 Va. App. 539, 546-47 (2013) (quoting *Brittle*, 54 Va. App. at 513). The record plainly establishes that Harris entered his pleas knowingly, voluntarily, and intelligently. Accordingly, because we find no "miscarriage of justice," the ends of justice exception does not apply and Rule 5A:18 bars our consideration of these arguments as a basis for reversal for the first time on appeal. *See* Rule 5A:18.

II. Sentencing

Harris also argues that the circuit court erred in imposing a sentence that was "disproportionate to [his] culpability" after failing to give adequate weight to the "substantial mitigating evidence presented." We review a circuit court's sentencing decision for an abuse of discretion. *See Fazili v. Commonwealth*, 71 Va. App. 239, 248 (2019). "When exercising its discretionary power . . . the trial court 'has a range of choice, and its decision will not be disturbed as long as it stays within that range and is not influenced by any mistake of law.'" *Minh Duy Du v. Commonwealth*, 292 Va. 555, 563-64 (2016) (quoting *Lawlor v. Commonwealth*, 285 Va. 187, 212-13 (2013)). "Only when reasonable jurists could not differ can we say an abuse of discretion has occurred." *Id.* at 564 (quoting *Grattan v. Commonwealth*, 278 Va. 602, 620 (2009)). "This bell-shaped curve of reasonability governing . . . appellate review rests on the venerable belief that the judge closest to the contest is the judge best able to discern where the equities lie." *Id.* (quoting *Sauder v. Ferguson*, 289 Va. 449, 459 (2015)).

Indeed, "[c]riminal sentencing decisions are among the most difficult judgment calls trial judges face." *Id.* at 563. "Because this task is so difficult, it must rest heavily on judges closest to the facts of the case—those hearing and seeing the witnesses, taking into account their verbal and nonverbal communication, and placing all of it in the context of the entire case." *Id.* "Given this deferential standard of review, we will not interfere with the sentence so long as it 'was within the range set by the legislature' for the particular crime of which the defendant was convicted." *Fazili*, 71 Va. App. at 248 (quoting *Scott v. Commonwealth*, 58 Va. App. 35, 46 (2011)).

In Virginia, malicious wounding is punishable by up to 20 years in prison, conspiracy to commit malicious wounding is punishable by up to 10 years in prison, and statutory burglary is punishable by up to 20 years in prison. *See* Code §§ 18.2-51, 18.2-91, 18.2-22, and 18.2-10. The circuit court sentenced Harris to ten years in prison for malicious wounding, five years for conspiracy to commit malicious wounding, and ten years for statutory burglary. Harris does not dispute that his sentence falls within the range of punishment set by the legislature for his "particular crime[s]." *Fazili*, 71 Va. App. at 248. Instead, Harris asserts that the circuit court abused its discretion by failing to properly consider his gainful employment, his "documented mental-health diagnoses and developmental delays," his lack of any prior criminal history, and the fact that he was the least culpable of all his codefendants. Harris argues that the resulting sentence was excessively harsh and amounted to an abuse of discretion.

The record shows that at the sentencing hearing, the circuit court admitted and considered the PSR, the sentencing guidelines, the arguments of counsel, and Harris's allocution, before sentencing him to an active two-year sentence, which was far less than the eight-year cap on his active sentence provided for in the plea agreement. The record shows that the circuit court considered all the aggravating and mitigating evidence presented at the sentencing hearing before

fashioning an appropriate sentence. The active sentence the circuit court imposed for Harris's serious and egregious offenses was reasonable, was not unduly harsh, and was within the range of punishment set by the legislature and not influenced by any mistake of law. Moreover, it was well below the cap on his active sentence to which he agreed. "[B]arring clear evidence to the contrary, [an appellate court] will not presume that a trial court purposefully ignored mitigating factors in blind pursuit of a harsh sentence." *Guest v. Commonwealth*, 78 Va. App. 187, 197 (2023) (second alteration in original) (quoting *Bassett v. Commonwealth*, 13 Va. App. 580, 584 (1992)). "[O]nce it is determined that a sentence is within the limitations set forth in the statute under which it is imposed, appellate review is at an end." *Thomason v. Commonwealth*, 69 Va. App. 89, 99 (2018) (quoting *Minh Duy Du*, 292 Va. at 565). Thus, we find no abuse of discretion in the court's sentencing decision.

CONCLUSION

For the foregoing reasons, we affirm the circuit court's judgment.

Affirmed.