

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-2259

Granted Appeal Summary

Case

TERRENCE JEROME RICHARDSON v. COMMONWEALTH OF VIRGINIA
(Record Number 220499)

From

The Court of Appeals of Virginia.

Counsel

Jarrett Adams and Sarah A. Hensley (The Law Offices of Jarrett Adams, PLLC) for appellant.

Brandon T. Wrobleski and Theophani K. Stamos (Office of the Attorney General) for appellee.

Assignments of Error

I. The Court of Appeals erred by finding due diligence lacking, where the record evinced that law enforcement willfully concealed the new evidence at issue from Mr. Richardson, his trial counsel, and the Commonwealth's Attorney.

II. The Court of Appeals erred, because it made factual findings from an unclear record rather than order an evidentiary hearing as this Court mandated it must in *Dennis v. Commonwealth*, 297 Va. 104, 130–32, 823 S.E.2d 490, 503–04 (2019).

III. The Court of Appeals erred in finding that a rational factfinder would convict Mr. Richardson, where no credible evidence supported his conviction but his guilty plea, and a federal jury acquitted him of the same wrongful conduct.

IV. The Court of Appeals erred in allowing the Commonwealth to approbate and reprobate in defiance of centuries of Virginia jurisprudence.