

Wednesday

22nd

December, 2004.

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect be and they hereby are amended to become effective immediately.

Amend Form 10, Appendix of Forms for Part Three A to read as follows:

RULES OF THE SUPREME COURT OF VIRGINIA
Appendix of Forms for Part Three A

Form 10. Contents of Sentencing Orders.

(Pursuant to the provisions of Code § 19.2-307, all orders wherein an accused is sentenced for a criminal conviction shall conform substantially to the following form. In cases where no prior criminal conviction order has been entered of record, state the defendant's plea, the verdict or findings, the adjudication, whether or not the case was tried by a jury, and, if not, whether the consent of the accused was concurred in by the court and the attorney for the Commonwealth.)

SENTENCING ORDER

VIRGINIA: IN THE CIRCUIT COURT OF _____

FEDERAL INFORMATION
PROCESSING STANDARDS
CODE: _____

Hearing Date: _____

Judge: _____

COMMONWEALTH OF VIRGINIA

v.

_____, DEFENDANT

This case came before the Court for sentencing of the defendant, who appeared in person with his attorney, _____. The Commonwealth was represented by _____.

On _____ the defendant was found guilty of the following offenses:

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	VA. CODE SECTION	VIRGINIA CRIME CODE REFERENCE
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The presentence report was considered and is ordered filed as a part of the record in this case in accordance with the provisions of Code § 19.2-299.

Pursuant to the provisions of Code § 19.2-298.01, the Court has considered and reviewed the applicable discretionary sentencing guidelines and the guidelines worksheets. The sentencing guidelines worksheets and the written explanation of any departure from the guidelines are ordered filed as a part of the record in this case.

Before pronouncing the sentence, the Court inquired if the defendant desired to make a statement and if the defendant desired to advance any reason why judgment should not be pronounced.

The Court **SENTENCES** the defendant to:

Incarceration with the Virginia Department of Corrections for the term of: _____ for _____, and _____ for _____. The total sentence imposed is _____.

A fine of \$_____ for _____.

This sentence shall run with any other sentences imposed.

The Court **SUSPENDS** _____ of the _____ sentence and _____ of the _____ sentence, for a period of _____, for a total suspension of _____, upon the following condition(s):

Good behavior. The defendant shall be of good behavior for _____ from the defendant's release from confinement.

Community-based Corrections System Program. The defendant shall successfully complete the _____ program.

Supervised probation. The defendant is placed on probation to commence _____ under the supervision of a Probation Officer for _____ or unless sooner released by the court or by the Probation Officer. The defendant shall comply with all the rules and requirements set by the Probation Officer. Probation shall include substance abuse counseling and/or testing as prescribed by the Probation Officer.

Post-release supervision. The defendant shall be subject to a period of post-release supervision of _____.

Costs. The defendant shall pay costs of _____.

Restitution. The defendant shall make restitution as follows: _____ to _____.

Credit for time served. The defendant shall be given credit for time spent in confinement while awaiting trial pursuant to Code § 53.1-187.

DATE

ENTER: _____

JUDGE

DEFENDANT IDENTIFICATION:

Alias: _____
SSN: _____ DOB: _____ Sex: _____

SENTENCING SUMMARY:

TOTAL SENTENCE IMPOSED: _____
TOTAL SENTENCE SUSPENDED: _____

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A Copy,

Teste:

Clerk