



OFFICE OF THE COMMONWEALTH'S ATTORNEY
for the
COUNTY OF ALBEMARLE

DENISE Y. LUNSFORD
COMMONWEALTH'S ATTORNEY

PHONE: (434) 972-4072
FAX: (434) 972-4093

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DARBY G. LOWE
DEPUTY COMMONWEALTH'S ATTORNEY
JON R. ZUG
ELLIOTT J. CASEY
MATTHEW J. QUATRARA
CARRENE L. WALKER
ASSISTANTS

On July 8, 2015, I received new information in the Weiner case from Law Enforcement concerning events involving the victim which occurred in February of this year. This new evidence is irrefutable and not directly related to any previously presented facts in this case. However, this new evidence, which concerns uncharged drug dealing allegations outside Albemarle County in February 2015 by the victim in the Weiner case, indirectly related to matters at issue in a hearing on May 6, 2015.

Under the law, the prosecutor is charged with knowledge of relevant information that is in the hands of law enforcement officers, whether the prosecutor herself actually knows it or not. Accordingly, although I did not know about the victim's alleged February drug dealing until July 8, 2015, it is information that the law requires to have been in the hands of the defense as of May 6, 2015, if not sooner.

Earlier this afternoon, the Court heard a motion from Mr. Weiner's counsel to set aside the verdict and, in the interest of justice, I joined in the motion. The Court agreed with this decision, granted the motion and Mr. Weiner will be released from incarceration this afternoon. The Commonwealth will not ask to try Mr. Weiner again for this offense.

This is one example of the incredibly difficult decisions that I and the other prosecutors in my office make on a daily basis. Violence against women is a disturbing problem in society and my office takes reports of these offenses seriously. These cases are often highly dependent on a single witness and this was one such case. In light of this additional information, when considered collectively with other information, I can no longer continue to defend the conviction and joined in the Motion to Set Aside.

My duty is and always has been to serve the citizens of Albemarle County, while also seeking justice for victims and the community in individual cases. But the rights and interest of society and the public in a fair, impartial and objective justice system must come first, before the interests of a particular case.

Prosecutors have a higher obligation to fairness and justice than any other interest. Continued prosecution of this case would be futile and would not promote the ends of justice. The integrity of the process is promoted and protected by today's outcome and that must be my overriding concern as Albemarle County's Commonwealth Attorney.