

VIRGINIA: IN THE CIRCUIT COURT OF LOUDOUN COUNTY

**IN RE: Appointment of Special Prosecutor;
In Re: Review of Panel Decision;
Carl Benjamin Nett
Circuit Court of Loudoun County
Case Number: CL 25-6742**

TESTE: _____ NC

CIRCUIT COURT
CLERKS OFFICE
LOUDOUN COUNTY, VA

2025 NOV 14 P 1:12

FILED

MOTION

COMES NOW, Robert D. Anderson, Commonwealth's Attorney for Loudoun County, and moves this Honorable Court to enter an Order pursuant to §19.2-155 of the Code of Virginia, appointing Eric Olsen as Special Prosecutor in the above matter. In support of his motion, the Commonwealth's Attorney states as follows:

1. On August 12, 2025, the Town of Purcellville, ("the Town") by its attorney, filed a petition with the Loudoun County Circuit Court, asking it to review the remedies ordered by the grievance panel decision involving Carl Benjamin Nett ("Nett") to confirm whether they comply with the Town's written policy.
2. On October 27, 2025, the Court issued a Letter Opinion and Order dismissing the petition with prejudice finding that the Court lacked subject matter jurisdiction. In its Letter Opinion, the Court cited §15.1-1507 (A)(10)(a)(7) finding that in the event that the Court has no jurisdiction to grant the relief sought, and the chief administrative officer of the Town has a direct personal involvement with the event or events giving rise to the grievance, then the decision shall be made by the attorney for the Commonwealth of the jurisdiction in which the grievance is pending.
3. On November 13, 2025, Diana Hays, the Acting Town Manager for the Town of Purcellville advised the Loudoun County Office of the Commonwealth's Attorney

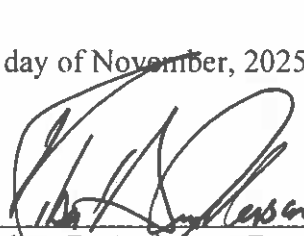
("the Commonwealth"), that she is formally recusing herself from participation in Nett's grievance process.

4. As such, under §15.1-1507 (A)(10)(a)(7) the decision shall be made by the Commonwealth's Attorney.
5. By information and belief, a new town manager was appointed by the Purcellville Town Council on November 12, 2025, during a vote in which Nett participated, and is set to begin in that position on November 14, 2025.
6. By information and belief, the new town manager, Anthony A. Sabio, ("Sabio") is a friend and former colleague of Nett's and considers this appointment only as an interim appointment, quoted in a local newspaper as saying "I'm looking. I'll be looking at three months. I told them just three months, we can re-evaluate." He is currently and actively running for a Congressional seat in Virginia's 8th Congressional District, which does not include Purcellville.
7. By information and belief, Sabio publicly stated that he was approached about the position about a month and a half ago through mutual former colleagues of both. Nett and Sabio first met when they were in the academy for the U.S. Secret Service in 2002.
8. These factors clearly demonstrate that the new chief administrative officer of the Town, Sabio, is conflicted with respect to making any decisions regarding the grievance or any issues involving Nett. Therefore, the decision regarding the grievance panel shall be made by the Commonwealth's Attorney.
9. The Commonwealth asserts the Motion to Appoint a Special Prosecutor is appropriate as a conflict exists that would prevent the Office of the Loudoun County Commonwealth's

Attorney from participating in the above-referenced matter. It would appear improper for the Commonwealth's Attorney, or any Assistant Attorney for the Commonwealth in Loudoun County, to decide the above matters.

10. Mr. Olsen has been appointed by this Court to represent the interests of the Commonwealth in other matters concerning Nett and the Town and is intimately familiar with the issues at hand.

Respectfully submitted this 14 day of November, 2025.



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ORDER

It appearing to the Court that the Commonwealth's Attorney's Office of this County has deemed it appropriate to have a Special Prosecutor appointed to the above matter and the Court doth concur; it is hereby ORDERED that in accordance with §19.2-155 of the Code of Virginia, _____, the Commonwealth Attorney for the County/City of _____, or their designee, is hereby appointed as Special Prosecutor in the above matters to take any action deemed appropriate by them through the conclusion of the case, to include any appeal thereof, and it is further

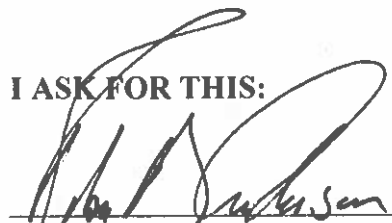
ORDERED that a copy of this Order be delivered to the Commonwealth's Attorney for Loudoun County and to _____, Commonwealth Attorney for the County/City of _____.

The Commonwealth's Attorney for Loudoun County shall forthwith make its complete file available to the Special Prosecutor.

ENTERED this ____ day of November, 2025.

Judge / Loudoun County Circuit Court

I ASK FOR THIS:



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