

V I R G I N I A :

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA)	
)	
v.)	MI 2020-565
)	
HARWINDER SANGHA)	
)	
Respondent)	

INVITATION TO AMICI

BEFORE THE COURT is Defendant's motion to dismiss a summons charging Defendant with driving without an ignition interlock system, in violation of Code § 18.2-272(C), a Class 1 misdemeanor. The basis for the motion is that the Commonwealth Attorney has declined to prosecute the case in this court.

THE COURT invites any interested party (including, but not limited to, the persons and organizations set forth on the following page) to file a brief *amicus curiae*, limited to 15 pages double-spaced, on or before December 29, 2020 addressing the following question:

Whether the circuit court may conduct a trial where the Commonwealth Attorney has declined to prosecute a case and, if so, what role, if any, a police officer may play in such a trial and what role, if any, the court has in calling and examining witnesses. A brief *amicus curiae* should address, *inter alia*, the effect of Va. Const. Art. 1 § 5 and Va. Const. Art. 3, § 1, as well as the effect, if any, of Code § 15.2-1704(A), Code § 19.2-265.5, Va.Sup.Ct.R. 2:614, and *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny.

The Clerk will please serve this *Invitation To Amici* on the persons and organizations set forth on the following page.

ENTERED this 8th day of December, 2020.


 Richard E. Gardiner
 Judge

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