

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA)	CRIMINAL NUMBER FE-2015-430
VERSUS)	
CHARLES STANARD SEVERANCE)	INDICTMENT – CAPITAL MURDER (Counts I & V), 1st DEGREE MURDER (Count VII), MALICIOUS WOUNDING (Count III), USING A FIREARM IN THE COMMISSION OF A FELONY (Counts II, IV, VI & VIII, POSSESSION OF A FIREARM AS A CONVICTED FELON (Counts IX & X)

ORDER

On June 25, 2015, Bryan Porter, Commonwealth's Attorney, David Lord, Senior Assistant Commonwealth's Attorney, James Entas and Marc Birnbaum, Office of the Attorney General, CHARLES STANARD SEVERANCE, the Defendant, and Megan Thomas, Joseph King and Christopher Leibig, Counsel for the Defendant, appeared before this Court. The Defendant is indicted with the felonies of CAPITAL MURDER (Counts I & V), 1st DEGREE MURDER (Count VII), MALICIOUS WOUNDING (Count III), USING A FIREARM IN THE COMMISSION OF A FELONY (Counts II, IV, VI & VIII), POSSESSION OF A FIREARM AS A CONVICTED FELON (Counts IX & X), and he appeared while in custody.

The Court, having heard the evidence and argument of Counsel, made the following rulings:

1. The Commonwealth's motion to inform the jury this is not a death penalty case is granted.
2. The Commonwealth's motion to amend indictment, to which there is no objection, is granted. The amended indictment is attached hereto.
3. The Commonwealth's motion to pre-submit jury instructions is granted. The parties are directed to exchange proposed jury instruction by September 25, 2015. The jury instructions will be discussed at a pre-trial conference on October 2, 2015 at 2:00 p.m.
4. The Defendant's amended motion for a jury selection plan is taken under advisement.
5. The Defendant's motion for notice of Commonwealth's intention to present unadjudicated criminal conduct at sentencing is withdrawn as moot. The Commonwealth stipulates that it does not intend to introduce evidence of the defendant's unadjudicated criminal conduct during its case in chief during the sentencing hearing, if any.

6. The Defendant's motion in limine to exclude writings is denied.
7. The Defendant's motion for approval of additional assistance of two fact investigators is granted by separate order.
8. The Defendant's motion for status update on request for DFS information is withdrawn as moot.
9. The Defendant's motion in limine to suppress evidence of the vehicle reenactment is taken under advisement. The parties are to further brief the issue.
10. The Defendant's motion for appointment of a mental health professional to assist the defense is withdrawn without prejudice. Counsel was advised that, if the motion is renewed, it must be renewed in sufficient time for the mental health professional to complete his or her work prior to trial on October 5, 2015.

This case is continued to July 23, 2015 at 10:00 a.m. for motions.

The Defendant was remanded to the custody of the Sheriff.

Entered on June 25, 2015.



JUDGE JANE MARUM ROUSH

VIRGINIA

CF14000270

IN THE CIRCUIT COURT OF THE CITY OF ALEXANDRIA

September 8, 2014

THE GRAND JURY CHARGES THAT:

COUNT 1

On or about the 6th day of February, 2014, in the City of Alexandria, Virginia,
CHARLES STANARD SEVERANCE did unlawfully, feloniously, willfully, deliberately
and with premeditation, kill and murder ^{Ruthanne} ~~Ruthann~~ Lodato, and within a three-year period
of this offense, did unlawfully, feloniously, willfully, deliberately and with premeditation,
kill and murder another person, namely: Ronald Kirby.

VIRGINIA CODE §§18.2-31(8); 19.2-221

VCC MUR0961F1

OTN: 510CF1400027001

COUNT 2

On or about the 6th day of February, 2014, in the City of Alexandria, Virginia,
CHARLES STANARD SEVERANCE did unlawfully and feloniously use a pistol or other
firearm while committing Murder, this offense constituting a second or subsequent
violation of this section.

VIRGINIA CODE §18.2-53.1

VCC ASL1319F9 ~~1319F9~~ 1323F9

OTN: 510CF1400027002

JMR
9/25/14

JMR
9/25/14

COUNT 3

On or about the 6th day of February, 2014, in the City of Alexandria, Virginia, CHARLES STANARD SEVERANCE did unlawfully, feloniously and maliciously shoot and wound D.F., also known as J.F., with the intent to maim, disfigure, disable and kill.

VIRGINIA CODE §18.2-51

VCC ASL1334F3

OTN: 510CF1400027003

COUNT 4

On or about the 6th day of February, 2014, in the City of Alexandria, Virginia, CHARLES STANARD SEVERANCE did unlawfully and feloniously use a pistol or other firearm while committing Malicious Wounding, this offense constituting a second or subsequent violation of this section.

VIRGINIA CODE §18.2-53.1

*JME
6/25/14*

VCC ASL~~1319F9~~ 1323 F9

OTN: 510CF1400027004

COUNT 5

On or about the 11th day of November, 2013, in the City of Alexandria, Virginia, CHARLES STANARD SEVERANCE did unlawfully, feloniously, willfully, deliberately and with premeditation, kill and murder Ronald Kirby, and within a three-year period of this offense did unlawfully, feloniously, willfully, deliberately and with premeditation, kill and murder another person, namely: ^{Ruthanne} ~~Ruthann~~ Lodato.

*JMR
6/25/14*

VIRGINIA CODE §§18.2-31(8); 19.2-221

VCC MUR0961F1

OTN: 510CF1400027005

COUNT 6

On or about the 11th day of November, 2013, in the City of Alexandria, Virginia, CHARLES STANARD SEVERANCE did unlawfully and feloniously use a pistol or other firearm while committing Murder, this offense constituting a second or subsequent violation of this section.

VIRGINIA CODE §18.2-53.1

JMR VCC ASL4319F9-1323F9

OTN: 510CF1400027006

COUNT 7

On or about the 5th day of December, 2003, in the City of Alexandria, Virginia, CHARLES STANARD SEVERANCE did unlawfully, feloniously, willfully, deliberately and with premeditation, kill and murder Nancy Dunning.

VIRGINIA CODE §§18.2-32; 19.2-221

VCC MUR0925F2

OTN: 510CF1400027007

COUNT 8

On or about the 5th day of December, 2003, in the City of Alexandria, Virginia, CHARLES STANARD SEVERANCE did unlawfully and feloniously use a pistol or other firearm while committing Murder.

VIRGINIA CODE §18.2-53.1

VCC ASL1319F9

OTN: 510CF1400027008

COUNT 9

On or about the 6th day of February, 2014, in the City of Alexandria, Virginia, CHARLES STANARD SEVERANCE, having been previously convicted of a felony offense within the prior ten years, did unlawfully, feloniously, knowingly and intentionally possess a firearm.

VIRGINIA CODE §18.2-308.2

JMR VCC WPN~~5296F6~~ → *5297F6*

OTN: 510CF1400027009

COUNT 10

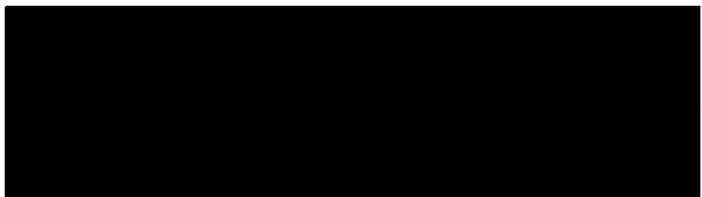
On or about the 11th day of November, 2013, in the City of Alexandria, Virginia, CHARLES STANARD SEVERANCE, having been previously convicted of a felony offense within the prior ten years, did unlawfully, feloniously, knowingly and intentionally possess a firearm.

VIRGINIA CODE §18.2-308.2

JMR VCC WPN~~5296F6~~ → *5297F6*

OTN: 510CF1400027010

WITNESS:	W Oakley, APD	CTS 1-4, 9
	S Casey, APD	CTS 5-6, 10
	D Cutting, APD	CTS 7-8



FOREMAN

A TRUE BILL.