Filed in the Clerk's Office
the 10th day of March, 2004
TESTE: FAYRAW MITCHELL, CLERK
By _____ D.C.

VIRGINIA:

IN THE CIRCUIT COURT OF THE CITY OF CHESAPEAKE

COMMONWEALTH OF VIRGINIA,	Chesapeake Case Nos.:	CR03-3089
		CR03-3090
v.		CR03-3091
	Fairfax Case No:	K102888
	Hon. Jane Marum Roush	
LEE BOYD MALVO,		
Defendant.		

NOTICE OF APPEAL

COMES NOW the Appellant, Lee Boyd Malvo, by counsel and hereby appeals to the Court of Appeals of Virginia from the final judgment of this Court entered on March 10, 2004.

A transcript, testimony evidence of this case shall be filed with the Court and further certifies as follows:

1. The Appellant, Lee Boyd Malvo, is currently incarcerated at the Chesapeake City Jail, Chesapeake, Virginia.

2. Counsel for Appellant are Michael S. Arif of the firm Martin & Arif, 8001 Braddock Road, Suite 100, Springfield, VA 22151, (703) 323-1200 and Craig S. Cooley, Idlewood Avenue Richmond, VA 23221, (804) 358-2328.

3. The Appellee is the Commonwealth of Virginia.

4. Counsel for the Appellee is Robert F. Horan, Jr., Commonwealth's Attorney, 4110 Chain Bridge Road, Fairfax, VA 22030 (703) 246-2776.

5. Counsel for Appellant have requested the hearing transcripts, trial transcripts, and

sentencing transcripts in the instant matter. The Fairfax County Circuit Court hearing and sentencing transcripts, being recorded by Rudiger & Green Reporting Service, 4116 Leonard Drive, Fairfax, Virginia 22030-5118 and City of Chesapeake trial transcripts being recorded by Alvis & Cheesebrew Court Reporting Services, 200 Waters Road, Chesapeake, Virginia 23322.

6. The transcripts necessary for this appeal are:

- January 28, 2003
- February 6, 2003
- March 3, 2003
- March 31, 2003
- April 28, 2003
- June 2, 2003
- June 20, 2003
- July 24, 2003
- August 27, 2003
- September 17, 2003
- October 9, 2003
- October 16, 2003
- October 23, 2003
- October 31, 2003
- November 10 - November 11, 2003
- November 17 - November 21, 2003
- November 24 - November 25, 2003
- December 1 - December 5, 2003
- December 8 - December 12, 2003
- December 15 - December 19, 2003
- December 22 - December 23, 2003
- March 10, 2004

7. Counsel for the Appellant are court appointed.

Respectfully Submitted,

LEE BOYD MALVO

By:_____
Co-Counsel

and

By:_____
Co-Counsel

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and accurate copy was hand delivered, to Robert F. Horan, Jr., Esq. Commonwealth's Attorney, on this 10th day of March, 2004.

Michael S. Arif

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