VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

COMMONWEALTH OF VIRGINIA	)	**CRIMINAL NO. 102888**
VERSUS	)	
LEE BOYD MALVO a/k/a John Lee Malvo	)	**INDICTMENT - CAPITAL MURDER (2 Counts) and USING A FIREARM IN THE COMMISSION OF A FELONY**

On March 3, 2003, Robert F. Horan, Jr., the Commonwealth's Attorney, Raymond Morrogh, the Deputy Commonwealth's Attorney, LEE BOYD MALVO a/k/a John Lee Malvo, the Defendant, and Michael Arif and Craig Cooley, Co-Counsel for the Defendant, appeared before this Court. The Defendant is indicted for the felonies of CAPITAL MURDER (2 Counts) and USING A FIREARM IN THE COMMISSION OF A FELONY and he appeared while in custody.

This case came before this Court today for hearing on the Motion for Access to Conduct Still Photography. Dane Butswinkas, of the firm Williams & Connolly, argued the motion on behalf of The Washington Post, The New York Times and The Baltimore Sun. The Court, after hearing argument, denied the motion.

The Defendant was remanded to the custody of the Sheriff.

Entered on March 4, 2003.

JUDGE JANE MARUM ROUSH

JMR/dmr
102888