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 Joint Motion to Allow Still Photography at Trial and Pretrial Proceedings. Craig Merritt, of the firm Christian & Barton, argued the motion on behalf of Media General, the Associated Press and the Virginia Press Association. 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