

SUPREME COURT OF VIRGINIA



SUPREME COURT BUILDING
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219
(804) 786-2259

Granted Appeal Summary

Case

RICHARD SULLIVAN v. HAROLD W. CLARKE, DIRECTOR VIRGINIA DEPT. OF
CORRECTIONS
(Record Number 200198)

From

Circuit Court of Fauquier County; J. Plowman, Jr., Judge.

Counsel

Bryan J. Jones for appellant.

Rachel L. Yates (Office of the Attorney General) for appellee.

Assignments of Error

1. The Circuit Court erred in finding that Appellant's trial counsel was not ineffective for eliciting, from two different witnesses, testimony about prior, uncharged alleged drug transactions allegedly involving Appellant because Appellant cannot prove he was prejudiced.
2. The Circuit Court erred in finding that Appellant's trial counsel was not ineffective for rejecting the Commonwealth's plea offer to a reduced charge of simple possession of PCP before communicating the plea offer to Appellant and for urging Appellant to go to trial based on ineffective assistance of counsel.
3. The Circuit Court erred in finding that Appellant's trial counsel was not ineffective for failing to challenge Detective Waddell's bias and motive to testify based on information obtained in discovery indicating Waddell was being investigated for issues in Culpeper County related to the use of force and truthfulness.