

WARRANT OF ARREST—MISDEMEANOR (STATE)

COMMONWEALTH OF VIRGINIA Va. Code § 19.2-71, -72

Washington General District Court [ ] Criminal [X] Traffic
CITY OR COUNTY [ ] Juvenile and Domestic Relations District Court

TO ANY AUTHORIZED OFFICER:

You are hereby commanded in the name of the Commonwealth of Virginia forthwith to arrest and bring the Accused before this Court to answer the charge that the Accused, within this city or county, on or about 09/28/2008 did unlawfully in violation of Section

18.2-266/18.2-270 Code of Virginia: Drive or operate a motor vehicle while having a blood alcohol concentration of 0.08 percent or more by weight by volume or 0.08 grams or more per 210 liters of breath; or while under the influence of alcohol; or while under the influence of a narcotic drug or other self-administered intoxicant or drug, or a combination of drugs, to a degree which impaired the accused's ability to drive or operate a motor vehicle safely; or while under the combined influence of alcohol and a drug or drugs to a degree which impaired the accused's ability to drive or operate a motor vehicle safely. The blood alcohol level of the accused was .24.

Amended w/o objects

CSD 10-21-08

I, the undersigned, have found probable cause to believe that the Accused committed the offense charged, based on the sworn statements of

TPR. R.L. HUGHES VSP, Complainant.

Execution by summons [ ] permitted at officer's discretion. [X] not permitted.

09/28/2008 06:30 AM DATE AND TIME ISSUED

Signature of Gregory A. Baumgardner, Clerk/Magistrate/Judge

CASE NO. GT08017546-00

ACCUSED: Lowe, Matthew Randall LAST NAME, FIRST NAME, MIDDLE NAME
290 Gray Drive ADDRESS/LOCATION
Abingdon, VA 24210

PAID stamp

Table with columns: RACE, SEX, BORN (MO, DAY, YR), HT. (FT, IN), WGT., EYES, HAIR. Values: W, M, 10/23/1985, 5' 09", 195, BLU, BRO.

DL# [redacted] STATE VA

CLASS 1 MISDEMEANOR

[X] EXECUTED by arresting the Accused named above on this day:

[ ] For legal entities other than individuals, service pursuant to Va. Code § 19.2-76.

9/28/2008 6:35AM DATE AND TIME OF SERVICE

Tpr. R.L. HUGHES ARRESTING OFFICER

800 VA STATE POLICE 095 BADGE NO., AGENCY AND JURISDICTION

for [redacted] SHERIFF

Attorney for the Accused:

Short Offense Description: DWI: 1ST OFF, BAC >.20%

Offense Tracking Number: 191GM2320803080

FOR ADMINISTRATIVE USE ONLY Virginia Crime Code:

DWI-5444-M1

M

10/21/2008 01:30 PM Hearing Date/Time

NOTICE YOU ARE HEREBY COMMANDED TO APPEAR FOR ARRANGEMENT AND/OR APPOINTMENT OF COUNSEL AT: 10:11 AM 10/17/08



STATE

CCRE May be Required

FORM DC-314 (FRONT) REVISED 7/05

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The Accused was this day:

[ ] tried in absence [X] present

[X] PROSECUTING ATTORNEY PRESENT (NAME) Russell

[X] DEFENDANT'S ATTORNEY PRESENT (NAME) Seylous

[ ] NO ATTORNEY [ ] ATTORNEY WAIVED [ ] If convicted, no jail sentence will be imposed.

[ ] INTERPRETER PRESENT

Plea of Accused:

[ ] not guilty [ ] Witnesses sworn [ ] nolo contendere

[X] guilty [ ] Plea voluntarily and intelligently entered after the defendant was apprised of his right against compulsory self-incrimination and his right to confront the witnesses against him.

[X] Plea and Recommendation

And was TRIED and FOUND by me:

[ ] not guilty [X] guilty as charged [ ] guilty of

VCC [ ] facts sufficient to find guilt but defer adjudication/disposition to

DATE AND TIME and place accused on probation, §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

[ ] A separate order for First Offender is attached and incorporated in this order.

[ ] Costs imposed upon defendant.

I impose the following Disposition:

[X] FINE [ ] CIVIL PENALTY of \$ 500 with \$ 250 suspended

[X] JAIL SENTENCE of 60d. imposed, [ ] of which 58d. days mandatory minimum, with 2d. suspended

for a period of 60d. conditioned upon being of good behavior, keeping the peace, obeying this order and paying fines and costs.

Credit is allowed pursuant to § 53.1-187 for time spent in confinement.

[X] Serve jail sentence beginning 11-7-08 on-weekends only 7:00 pm

[ ] Work release [ ] authorized if eligible [ ] required [ ] not authorized

[ ] Public work force [ ] authorized [ ] not authorized.

[X] on PROBATION for 12m [X] VASAP [ ] local community-based probation agency

[X] DRIVER'S LICENSE suspended for 12m authorized to restrict

[ ] Restricted Driver's License per attached order [ ] Ignition Interlock for

[ ] RESTITUTION of \$ due by payable to with interest thereon from [ ] DATE OF LOSS OR DAMAGE [ ] TODAY'S DATE

[ ] as condition of suspended sentence

[ ] COMMUNITY SERVICE hours to be completed by and supervised by

[ ] to be credited against fines and costs

[ ] Contact prohibited between defendant and victim/victim's family or household members

[ ] Reimburse Commonwealth for investigatory medical fees [ ] Pay \$50 fee to the Court for Trauma Center Fund

[ ] Other:

[ ] Remanded for [ ] CCRE Report [ ] Bail on Appeal \$

DRIVER'S LICENSE/PRIVILEGE TO DRIVE IN VIRGINIA SUSPENDED EFFECTIVE IN 15 DAYS IF FINES, COSTS, FORFEITURES, PENALTIES OR RESTITUTION ARE NOT PAID.

Va. Code § 46.2-395.

Signature of Judge

Offense Tracking Number: 191GM2320803080

FINE

LOCALITY \$

COSTS

461 FIXED MISD FEE

462 FIXED DRUG MISD FEE

113 WITNESS FEE

113 IGNITION INTERLOCK

113 DUI FEE

113

113

120 CT. APPT. ATTY

121 TRIAL IN ABSENCE FEE

125 WEIGHING FEE

133 BLOOD TEST FEE

137 TIME TO PAY

192 TRAUMA CENTER FEE

234 JAIL ADMISSION FEE

243 LOCAL TRAINING ACADEMY FEE

244 COURTHOUSE SECURITY FEE

OTHER (SPECIFY)

OTHER (SPECIFY)

TOTAL \$

[ ] Stay of the proceedings pursuant to § 16.1-131.1

DATE JUDGE

Signature and date: DL turned in 10.21.08