

Using This Revisable Form

1. Copies –
 - a. Original – to court.
 - b. Copy – mailed, delivered or otherwise provided to the attorney for the Commonwealth.
2. Prepared by defendant or counsel for the defendant and signed by the defendant or his or her counsel.
3. Attachments – none.
4. Preparation details

This form is for use by the defendant to object an affidavit, in lieu of testimony, as evidence of the facts stated therein. Virginia Code § 18.2-472.1 requires the defendant to make this objection in writing and to file the objection with the court hearing the matter, with a copy to the attorney for the Commonwealth, no more than 14 days after the affidavit and notice have been filed with the clerk by the attorney for the Commonwealth. Failure to do so shall result in the defendant waiving the objection to admission of the affidavit, in lieu of testimony, as evidence of the facts stated therein.

Data Elements

1. Case Number (if known). If not known, will be completed by the clerk.
2. Name of the court in which the case is pending. Check the appropriate box for the type of court.
3. Court address.
4. Style of the case.
5. Date of the offense.
6. Date and time of trial or hearing.
7. Date on which the attorney for the Commonwealth filed the affidavit with the court.
8. Date of objection.
9. Signature of defendant or counsel for defendant.
10. Printed name of the defendant or counsel for defendant.
11. Address and telephone number of defendant or counsel for defendant.
12. Method by which written objection provided to the attorney for the Commonwealth.
13. Date objection provided to the attorney for the Commonwealth.
14. Signature of objector certifying that a copy of the objection was provided to the attorney for the Commonwealth by the method and on the date specified.