

# WARRANT OF ARREST - FELONY

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

Henry  General District Court  Criminal  Traffic  
 Juvenile and Domestic Relations District Court  
CITY OR COUNTY

### 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 05/13/2020 did unlawfully and feloniously in violation of Section

18.2-32, Code of Virginia: willfully, deliberately, and with premeditation kill and murder Pamela Morse in the first degree

Special Agent  
Matthew Wade  
VSP

# 540-632-9318  
3775 W Main St.  
Salem, VA  
24153

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

Spec. Ag. Wade, M.T./VSP #4122 Virginia State Police, Complainant.

### CCRE/Fingerprinting Required

05/20/2020 09:10 AM  
DATE AND TIME ISSUED

[Signature]  
F. Dasko  CLERK  MAGISTRATE  JUDGE

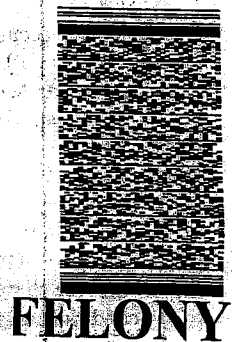
TAKE BUCCAL SAMPLE IF LIDS SHOWS NO DNA SAMPLE IN DATA BANK  
FORM DC-312 (MASTER, PAGE ONE OF TWO) 10/13

Check if sample previously taken:  Check if sample taken for this arrest:

CASE NO. <u>C20-2585</u>								
ACCUSED: <u>FITZGERALD, TANNA SHELTON</u> LAST NAME, FIRST NAME, MIDDLE NAME <u>190 Clyde Prillamen</u> ADDRESS/LOCATION <u>Fieldale, VA 24089</u>								
COMPLETE DATA BELOW IF KNOWN								
RACE	SEX	BORN			HT.	WGT.	EYES	HAIR
W	F	MO.	DAY	YR.	FT.	IN.	BRO	RED
		02	21	1966	5'	01"	112	
241-04-7490								
STATE VA								
Commercial Driver's License								
<b>2 FELONY</b>								
D by arresting the Accused named by: <u>12626 3:20 PM</u>								
DATE AND TIME OF SERVICE <u>CONLEY</u> , Arresting Officer <u>VSP 044</u>								
E NO., AGENCY AND JURISDICTION								
for _____ SHERIFF								
Attorney for the Accused: <u>Michael Nicholas (CAA)</u>								
Short Offense Description (not a legal definition): <b>MURDER: 1ST DEGREE</b>								
Offense Tracking Number: <b>089GM2000002586</b>								
FOR ADMINISTRATIVE USE ONLY Virginia Crime Code: <b>MUR-0925-F2</b>								

# F

5-21-2020  
8:15am  
Hearing Date/Time  
5-26-20 (B#)  
10:00am  
8-17-2020  
2:00pm



# FELONY

WAIVER OF PRELIMINARY HEARING

Understanding my right to a preliminary hearing before the Court named in this warrant to determine whether there is probable cause to believe that I committed a felony AND, having the consequences of my waiver explained to me by the Judge of this Court, I nevertheless WAIVE MY RIGHT TO A PRELIMINARY HEARING on the felony charged in this warrant. Certified to the Circuit Court of this jurisdiction.

Offense Tracking Number: 089GM2000002586

ACCUSED

DATE

ATTORNEY FOR ACCUSED

JUDGE

[ ] The Accused named within was brought before me or appeared this day, and upon hearing the evidence, I order the case certified to the grand jury of this jurisdiction, at its next term date, having found probable cause to believe that the Accused committed the felony charged in this warrant.

[ ] Guilty - upon a violation of a term or condition of a deferred adjudication/disposition.

I impose the following Disposition:

[ ] Bail on certification \$

[ ] FINE of \$ with \$ suspended

[ ] I ORDER the accused discharged at preliminary hearing and the charge is dismissed.

[ ] JAIL SENTENCE of [ ] of which days mandatory minimum, with

[ ] The charge was reduced to

The Accused was this day: [ ] tried in absence [ ] present

of, 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.

[ ] PROSECUTING ATTORNEY PRESENT (NAME)

[ ] Serve jail sentence beginning [ ] on weekends only

[ ] DEFENDANT'S ATTORNEY PRESENT (NAME)

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

[ ] NO ATTORNEY [ ] ATTORNEY WAIVED

[ ] Interpreter present [ ] Witnesses sworn

[ ] Certified pursuant to § 19.2-190.1.

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

Plea of Accused: [ ] not guilty [ ] guilty [ ] nolo contendere

[ ] on PROBATION for

[ ] 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.

[ ] VASAP [ ] local community-based probation agency [ ] Monitoring by GPS/other tracking device

[ ] Plea and Recommendation

[ ] DRIVER'S LICENSE suspended for [ ] Restricted Driver's License per attached order

And was TRIED and FOUND by me:

[ ] Ignition interlock for [ ] RESTITUTION order incorporated

[ ] not guilty [ ] guilty as charged

[ ] guilty of VCC

[ ] COMMUNITY SERVICE hours to be completed by and supervised by [ ] to be credited against fines and costs

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

DATE AND TIME

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

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

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

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

[ ] Other

DATE

JUDGE

And was FOUND by me to be: [ ] carrying hazardous materials [ ] driving a commercial motor vehicle

[ ] Submit to FINGERPRINTING and photograph per attached order [ ] Remanded for [ ] FINGERPRINTING/CCRE Report [ ]

[ ] I ORDER a nolle prosequi on the prosecution's motion [ ] I ORDER the charge dismissed [ ] with prejudice

[ ] DNA order incorporated

[ ] conditioned upon payment of costs and

[ ] successful completion of [ ] traffic school [ ] mature driver school, § 16.1-69.48.1.

[ ] accord and satisfaction, § 19.2-151.

[ ] under §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

DATE

JUDGE

Preliminary Hearing Costs

120 Ct. Appt. Atty \$

113 Court Reporter

113 Witness

TOTAL

FINE

COSTS

461 FIXED MISD FEE

462 FIXED DRUG MISD FEE

001 INT CRIM CHILD FEE

113 WITNESS FEE

113 IGNITION INTERLOCK

113 DUI FEE

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

228 COURTHOUSE CONSTRUCTION FEE

234 JAIL ADMISSION FEE

243 LOCAL TRAINING ACADEMY FEE

244 COURTHOUSE SECURITY FEE

OTHER (SPECIFY)

TOTAL \$

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

DATE

JUDGE

**CRIMINAL COMPLAINT**

Commonwealth of Virginia

RULES 3A:3 AND 7C:3

HENRY COUNTY

General District Court

Juvenile and Domestic Relations District Court

CITY OR COUNTY

Under penalty of perjury, I, the undersigned Complainant swear or affirm that I have reason to believe that the Accused committed a criminal offense, on or about

5/13/2020

in the  City  County  Town

DATE OFFENSE OCCURRED

of HENRY

I base my belief on the following facts: (Print ALL information clearly.)

ON WEDNESDAY, MAY 13, 2020 AT APPROXIMATELY 7:52 AM, DAVID LEE MORSE REPORTED THAT HE ARRIVED HOME TO FIND HIS WIFE, PAMELA MORSE, DECEASED FROM AN APPARENT GUNSHOT WOUND. THE VICTIM WAS LOCATED IN THE BEDROOM OF THEIR HOME LOCATED AT 1385 WINGFIELD ORCHARD ROAD IN HENRY COUNTY, VIRGINIA. DAVID LEE MORSE ALSO DISCOVERED A 2010 RED JEEP COMPASS, VALUED AT MORE THAN \$500.00, MISSING FROM THE HOME.

UPON FURTHER INVESTIGATION, THE VIRGINIA STATE POLICE LEARNED THAT DAVID LEE MORSE, TANNA SHELTON FITZGERALD, CASEY LYNN ROGERS, AND COLLIN JOSHUA RUSSELL CONSPIRED AND DEVISED A PLAN BETWEEN MONDAY, MAY 11, 2020 AND WEDNESDAY, MAY 13, 2020, TO KILL PAMELA MORSE IN THE EARLY MORNING HOURS OF WEDNESDAY, MAY 13, 2020. THE PLAN WAS TO CARRY OUT THIS CRIME WHILE DAVID LEE MORSE WAS OUT OF THE HOME.

AGENTS OF THE VIRGINIA STATE POLICE WERE ABLE TO LOCATE AND RECOVER THE 2010 JEEP COMPASS IN THE BACKYARD OF A HOME LOCATED ON HOLLEY RIDGE ROAD IN FRANKLIN COUNTY. WHILE ON THE PREMISES OF THE HOLLEY RIDGE ROAD ADDRESS, STATE POLICE OFFICERS WERE DIRECTED BY A PERSON ON THE PROPERTY THAT THE JEEP THEY WERE LOOKING FOR WAS IN THE BACK YARD OF THE HOME. WHEN OFFICERS LOOKED IN THE BACK YARD THEY LOCATED COLLIN JOSHUA RUSSELL.

ALSO LOCATED IN THE REAR OF THE RESIDENCE WAS THE JEEP COMPASS THAT WAS MISSING FROM THE WINGFIELD ORCHARD ROAD ADDRESS. OFFICERS ALSO RECOVERED SEVERAL FIREARMS AND OTHER ITEMS BELONGING TO DAVID LEE MORSE AND PAMELA MORSE FROM COLLIN JOSHUA RUSSELL. IN ADDITION, MULTIPLE ITEMS BELONGING TO MR. AND MRS. MORSE WERE LATER LOCATED INSIDE OF THE JEEP AND SCATTERED THROUGHOUT THE PROPERTY OF HOLLEY RIDGE ROAD.

I AM SEEKING ARREST WARRANTS FOR 1ST DEGREE MURDER, CONSPIRACY TO COMMIT MURDER, AND USE OF A FIREARM IN COMMISSION OF A FELONY.

The statements above are true and accurate to the best of my knowledge and belief.

In making this complaint, I have read and fully understand the following:

- By swearing to these facts, I agree to appear in court and testify if a warrant or summons is issued.
- The charge in this warrant cannot be dismissed except by the court, even at my request.

WADE, MATTHEW T.

NAME OF COMPLAINANT (LAST, FIRST, MIDDLE)  
(PRINT CLEARLY)

*Matthew T. Wade*

SIGNATURE OF COMPLAINANT

Subscribed and sworn to before me this day.

5/20/20 @ 8:11 am

DATE AND TIME

*Wasko*

CLERK  MAGISTRATE  JUDGE

**CRIMINAL COMPLAINT**

ACCUSED: Name, Description, Address/Location

FITZGERALD, TANNA SHELTON

LAST NAME, FIRST NAME, MIDDLE NAME

190 CLYDE PRILLAMEN

FIELDALE, VA. 24089

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
W	F	02	21	66	5	1	112	BR	RE

SSN

241-04-7490

Complainant is not a law-enforcement officer or animal control officer. Authorization prior to issuance of felony arrest warrant given by

Commonwealth's attorney

Law-enforcement agency having jurisdiction over alleged offense

NAME OF PERSON AUTHORIZING ISSUANCE OF WARRANT

DATE AND TIME AUTHORIZATION GIVEN

**CHECKLIST FOR BAIL DETERMINATIONS**

Commonwealth of Virginia

Name of the Accused FITZGERALD TANNA SHELTON

Nature and Circumstances of the Offense 089 GDC: 18.2-53.1; 18.2-32; 18.2-22/18.2-32.

Weight of the Evidence Warrants

Length of Time in Community 20+ years in Henry Co.; NC - prior.

Place of Employment Fieldale Cafe- temp closed How Long 15 years

Family Ties Brother in area

Involvement in Education Some college

Financial Resources Rents. Self supports.

Pending Charges None.

Was a firearm allegedly used in the offense: [ ] No [X] Yes

Currently on probation or parole? [X] No [ ] Yes

Prior criminal record Unauthorized use.

[X] The presumption set forth in Virginia Code § 19.2-120 (B) or (C) applies and has not been rebutted.

[ ] Bail was not set by a judge, the presumption set forth in Virginia Code § 19.2-120 (B) or (C) applies and has been rebutted, and an attorney for the Commonwealth concurs in the accused being admitted to bail. (For magistrate determinations only.)

[ ] The secured bond provision in Virginia Code § 19.2-123 applies [ ] and is waived with the concurrence of the attorney of the Commonwealth or the attorney for the county, city or town.

Prior charges of failing to appear None.

Is this person likely to obstruct or attempt to obstruct justice or threaten, injure or intimidate or attempt to threaten, injure or intimidate a prospective witness, juror or victim? [ ] No [ ] Yes

Other information Per Trooper, the accused has been cooperative the entire time they have had her.

Bail Set Held without Bail

Special instructions or conditions

[ ] Check if more information is on reverse

05/20/2020

DATE

[X] MAGISTRATE [ ] JUDGE

Deborah L. Hall

The judicial officer shall presume, subject to rebuttal, that no condition or combination of conditions will reasonably assure the appearance of the person or the safety of the public if the person is currently charged with:

1. An act of violence as defined in § 19.2-297.1;
2. An offense for which the maximum sentence is life imprisonment or death;
3. A violation of §§ 18.2-248, 18.2-248.01, 18.2-255 or § 18.2-255.2 involving a Schedule I or II controlled substance if (i) the maximum term of imprisonment is 10 years or more and the person was previously convicted of a like offense or (ii) the person was previously convicted as a "drug kingpin" as defined in § 18.2-248;
4. A violation of §§ 18.2-308.1, 18.2-308.2, or § 18.2-308.4 and which relates to a firearm and provides for a minimum, mandatory sentence;
5. Any felony, if the person has been convicted of two or more offenses described in subdivision 1 or 2, whether under the laws of this Commonwealth or substantially similar laws of the United States;
6. Any felony committed while the person is on release pending trial for a prior felony under federal or state law or on release pending imposition or execution of sentence or appeal of sentence or conviction;
7. An offense listed in subsection B of § 18.2-67.5:2 and the person had previously been convicted of an offense listed in § 18.2-67.5:2 or a substantially similar offense under the laws of any state or the United States and the judicial officer finds probable cause to believe that the person who is currently charged with one of these offenses committed the offense charged;
8. A violation of § 18.2-374.1 or § 18.2-374.3 where the offender has reason to believe that the solicited person is under 15 years of age and that the offender is at least 5 years older than the solicited person.
9. A violation of §§ 18.2-46.2, 18.2-46.3, 18.2-46.5 or § 18.2-46.7;
10. A violation of §§ 18.2-36.1, 18.2-51.4, 18.2-266 or § 46.2-341.24 and the person has, within the past five years of the instant offense, been convicted three times on different dates of a violation of any combination of these Code sections, or any ordinance of any county, city, or town or the laws of any other state or of the United States substantially similar thereto, and has been at liberty between each conviction; or
11. A second or subsequent violation of § 16.1-253.2 or § 18.2-60.4 or a substantially similar offense under the laws of any state or the United States; or
12. A violation of subsection B of § 18.2-57.2.
13. A violation of subsection C of § 18.2-460 charging the use of threats of bodily harm or force to knowingly attempt to intimidate or impede a witness.
14. A violation of § 18.2-51.6 if the alleged victim is a family or household member as defined in § 16.1-228.
15. A violation of §§ 18.2-355, 18.2-356, 18.2-357 or § 18.2-357.1.

The judicial officer shall presume, subject to rebuttal, that no condition or combination of conditions will reasonably assure the appearance of the person or the safety of the public if the person is being arrested pursuant to § 19.2-81.6.

A judicial officer who is a magistrate, clerk or deputy clerk of a district court or circuit court may not admit to bail, that is not set by a judge, any person who is charged with an offense listed in 1 through 13 above or who is being arrested pursuant to § 19.2-81.6, without the concurrence of an attorney for the Commonwealth.

#### Virginia Code § 19.2-120

The judicial officer shall presume, subject to rebuttal, that no condition or combination of conditions will reasonably assure the appearance of a person identified by U.S. Immigration and Customs Enforcement (ICE) as illegally present in the United States if such person is charged with one of the offenses enumerated below. However, for misdemeanor offenses under the provisions of law referred to in paragraphs a, b, c and e, and for felony offenses referred to in paragraph d, this presumption applies ONLY IF ICE has guaranteed that, in all such cases in the Commonwealth, it will issue a detainer for the initiation of removal proceedings and reimburse for the costs of incarceration from the time of issuance of the detainer.

- a. An offense listed under subsection C of § 17.1-805 (acts of violence);
- b. An offense listed under subsection A of § 19.2-297.1 (acts of violence);
- c. An offense listed under Chapter 4 (§ 18.2-30 et seq.) of Title 18.2 (crimes against the person) except any offense listed under subsection A of § 18.2-57.2;
- d. A felony offense under Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2 (drug offenses); or
- e. An offense under Article 2 (§ 18.2-266 et seq.) or any local ordinance substantially similar thereto, Article 4 (§ 18.2-279 et seq.), Article 5 (§ 18.2-288 et seq.), Article 6 (§ 18.2-299 et seq.), Article 6.1 (§ 18.2-307.1 et seq.) or Article 7 (§ 18.2-308.1 et seq.) of Chapter 7 of Title 18.2 (crimes involving safety).

#### Virginia Code § 19.2-120.1

Additional information:

**COMMITMENT ORDER**

Commonwealth of Virginia

ACCUSED: FITZGERALD, TANNA SHELTON  
NAME (LAST, FIRST, MIDDLE)

Jurisdiction: Henry

ADDRESS: 190 Clyde Prillamen Rd.  
Fieldale, VA 24089

- General District Court (Traffic)
- General District Court (Criminal)
- General District Court (Civil)
- Juvenile & Domestic Relations District Court
- Circuit Court

SSN: 241-04-7490 DOB: 02/21/1966

SEX: STATUS: CHARGED UNDER:

Male  Female  Adult  Juvenile  State  Local Ordinance

**CHARGE(S):**

Offense Tracking Number	Offense Date	Virginia Crime Code (For Administrative Use Only)	Code Section	Case Number
089GM2000002585	05-13-20	ASL-1319-F9	18.2-53.1	
		FIREARM: USE IN COMMISSION OF FELONY, 1ST OFF		
089GM2000002586	05-13-20	MUR-0925-F2	18.2-32	
		MURDER: 1ST DEGREE		
089GM2000002587	05-13-20	MUR-0925-C2	18.2-22/18.2-32	
		MURDER: 1ST DEGREE		

Addendum listing additional charges is attached and incorporated.

BAIL: \$ .....  Secured  Unsecured  Recognizance  
 Held without bail  No additional bail required  
 Release by Judicial Officer to custody of responsible person or when accused is no longer intoxicated

Accused  may  may not depart the Commonwealth of Virginia.  Other conditions of bail on page two.

If **NOT** released on bail,  
 Court appearance location, date and time:  
 GENERAL DISTRICT  J&DR  CIRCUIT  
Henry  
May 21, 2020 08:15 AM

If **released** on bail,  
 Hearing date and time:  
May 21, 2020 08:15 AM

Since accused is unable or unwilling to participate in a bail hearing, I order accused to be returned to Judicial Officer for bail determination.

Currently serving sentence

Charges pending in ..... Court

Place held in custody (if other than facility serving this jurisdiction): .....  
NAME OF FACILITY

TO THE SHERIFF, JAIL OFFICER OR CORRECTIONAL OFFICER: You are ordered to take custody of and convey the accused to the Court, unless otherwise released.

05/20/2020 06:22 PM  
DATE AND TIME

Deborah L. Hall  
 MAGISTRATE  CLERK  JUDGE  
 Deborah L. Hall

Received: 5-20-20 18:29  
DATE AND TIME

By: Sgt. P. Dan #038

Case No(s) .....

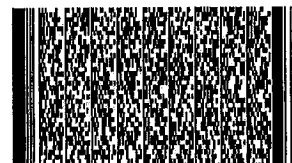
Offense Tracking Number(s): 089GM2000002585 , 089GM2000002586 , 089GM2000002587 .....

**Additional Conditions of Bail:**

The Accused must

- Submit to Drug/Alcohol Screening
- Submit to Drug/Alcohol Testing
- Comply with a Curfew of .....
- Avoid All Contact with.....
- Refrain from Possessing Firearm, Destructive Device, Dangerous Weapon
- Refrain from Excessive Use of Alcohol
- Refrain from Use of Illegal Drugs/Controlled Substances not Prescribed by a Health Care Provider
- Maintain or Seek Employment
- Maintain or Commence Education
- The Accused is assigned to home-electronic incarceration
- The Accused is to be monitored by a GPS/other tracking device
- The Accused is to accompany the arresting officer to the jurisdiction's fingerprinting facility and submit to having his photograph and fingerprints taken prior to release.
- Other:

**CBR 089GM2000002602**



**REQUEST FOR APPOINTMENT OF A LAWYER**

Commonwealth of Virginia

VA. CODE ANN. §§ 16.1-266, 267 §§ 19.2-159, 160, 163

Case No. C20-2585

- Circuit Court
- General District Court
- Juvenile and Domestic Relations District Court

2586, 2587

Way Co.  
CITY OR COUNTY

Tanna Fitzgerald

Adult

ADDRESS

TELEPHONE NUMBER

TO THE ADULT: You have been charged with an offense punishable by death or confinement in a state correctional facility or in jail, including charges for revocation of suspension of imposition or execution of sentence or probation; or you are a party in a case involving allegations of abuse and/or neglect or a case in which you may be subjected to termination of your residual parental rights and responsibilities. You have the right to be represented by a lawyer with respect to this matter. In addition, the court shall consider appointing counsel to represent the parent or guardian of a child who is the subject of a foster care plan, foster care review or permanency planning hearing. You may retain a lawyer at your own expense or, if it is determined by the court that you are unable to afford a lawyer, this court will appoint a lawyer to represent you. If the judge appoints a lawyer to represent you, the lawyer will be paid with public funds whether or not you are convicted. However, if you are convicted, you shall pay the amount of the court-appointed lawyer's fee as part of the costs of prosecution. You may also waive your right to a lawyer.

**REQUEST FOR APPOINTMENT OF A LAWYER—STATEMENT OF INDIGENCY**

I, the undersigned, have been advised this day by this Court of my right to be represented by a lawyer in the case involving me; I certify that I am without means to employ a lawyer and I hereby request the Court to appoint a lawyer for me. My financial statement accompanies this request.

I have been informed that the lawyer appointed for me will be paid with public funds, but if I am convicted of a criminal offense, I shall have to pay the amount of the court-appointed lawyer's fee as part of the costs of prosecution. This lawyer will represent me in this case in all state courts until relieved or replaced by another lawyer.

If the court finds me to be not indigent, and if the court then declines to appoint a lawyer to represent me, I understand that I may employ my own lawyer. But, if I appear without counsel on the trial date, I may be deemed to have waived my right to counsel.

05/21/20  
DATE

[Signature]  
ADULT

The Court was advised that \_\_\_\_\_, a lawyer, has been retained to represent the accused in this Court.

This information was provided by:

- the above-named person
- the lawyer
- \_\_\_\_\_

DATE

JUDGE  CLERK

**ORDER OF APPOINTMENT OF COUNSEL**

**THE REQUEST FOR APPOINTMENT OF A LAWYER WAS EXECUTED UNDER OATH. HAVING EXAMINED THE ADULT AND CONSIDERED OTHER COMPETENT EVIDENCE, I FIND THAT**

the Adult is not indigent and not entitled to representation by a court-appointed attorney.

- the Adult is indigent within the guideline set forth in the law and is entitled to representation by court-appointed counsel;
- the Adult is not indigent and the Adult refuses to either employ counsel or waive his right to representation by a lawyer, but that the following circumstances and the ends of justice require the appointment of counsel:

Therefore I appoint the lawyer indicated below to represent the adult at such hearings and all other stages of the proceeding in this court and in any other court to which this case may be appealed or certified until relieved or replaced by another lawyer.

The Clerk shall send a copy of this Order to the Indigent Defense Commission as notice that the lawyer indicated below is not on the list maintained by the Commission, but has otherwise demonstrated to the Court an appropriate level of training and experience.

NAME, ADDRESS OF COURT APPOINTED LAWYER

Michael Nicholas  
(CAA)

8-17-2020 2:00pm  
NEXT HEARING DATE AND TIME

[Signature]  
JUDGE



**ORDER FOR CONTINUED CUSTODY**

Commonwealth of Virginia

Jurisdiction: HENRY COUNTY GENERAL DISTRICT - CRIM

- Juvenile & Domestic Relations District Court
- General District Court
- Circuit Court

ACCUSED: FITZGERALD, TANNA SHELTON  
NAME (LAST, FIRST, MIDDLE)  
190 CLYDE PRILLAMEN RD.  
FIELDALE, VA 24089  
241-04-7490  
SOCIAL SECURITY NUMBER

2/21/1966  
DATE OF BIRTH

Hearing Date and Time: 8-17-2020 2:00pm

CHARGED UNDER:  
 State  Local Ordinance

**CHARGE(S):**

Offense Tracking Number	Offense Date	Virginia Crime Code (For Administrative Use Only)	Code Section	Case Number
089GM2000002586	5/13/2020	MUR-0925-F2	18.2-32	GC20002585-00
		<b>Description:</b>	MURDER: 1ST DEGREE	
089GM2000002587	5/13/2020	MUR-0925-C2	18.2-32	GC20002586-00
		<b>Description:</b>	MURDER: 1ST DEGREE	
089GM2000002585	5/13/2020	ASL-1319-F9	18.2-53.1	GC20002587-00
		<b>Description:</b>	USE FIREARM IN FELONY 1ST OFF	
		<b>Description:</b>		
		<b>Description:</b>		
		<b>Description:</b>		

Addendum listing additional charges is attached and incorporated.

Public Workforce  Authorized  Not Authorized

BAIL: \$ .....  Secured Bond  Unsecured Bond  Recognizance  
 Custody and Supervision of Pretrial Services Agency  
 Third-Party Custody and Supervision  
 No Change in Existing Amount of Bond  Amend Bond to \$ .....  
 Held Without Bail  No change in Existing Bail Conditions

Accused  may  may not leave the Commonwealth of Virginia  may  may not leave .....  
CITY/COUNTY

**Additional Conditions of Bail:**

- The Accused must
- Submit to Drug/Alcohol Screening  Submit to Drug/Alcohol Testing  Comply with a Curfew of .....
  - Avoid All Contact with .....
  - Refrain from Possessing Firearm, Destructive Device, Dangerous Weapon
  - Refrain from Excessive Use of Alcohol  Refrain from Use of Illegal Drugs/Controlled Substances  
not Prescribed by a Health Care Provider
  - Maintain or Seek Employment  Maintain or Commence Education
  - The Accused is assigned to home-electronic incarceration by Judge
  - The Accused is to be monitored by a GPS/other tracking device.
  - Other:



TO THE SHERIFF, JAIL OFFICER OR CORRECTIONAL OFFICER:

Hold the accused in custody pending the hearing date and convey the accused to the appropriate court so that the accused will be present in court at the hearing date and time, unless otherwise ordered by the appropriate judicial officer.

5/21/2020  
DATE

Quemain  
[ ] CLERK [ ] JUDGE

**DANIEL, MEDLEY & KIRBY, P.C.**

ATTORNEYS AT LAW  
110 NORTH UNION STREET  
DANVILLE, VIRGINIA 24541

JAMES A. L. DANIEL  
MARTHA WHITE MEDLEY  
WILLIAM L. KIRBY, III  
MICHAEL A. NICHOLAS  
T. BRENT GAMMON  
KHALILAH A. WALTERS  
PANAGIOTIS C. KOSTOPANAGIOTIS

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INTERNET: dmklawfirm.com

MARTINSVILLE OFFICE  
P. O. BOX 1192  
MARTINSVILLE, VA 24114  
TELEPHONE: (276) 666-1585  
FACSIMILE: (276) 666-4046

May 21, 2020

**Via Facsimile: (276) 634-4825**

Ms. Stacie R. Prillaman, Clerk  
Henry County General District Court  
3160 Kings Mountain Road  
Suite A  
Martinsville, VA 24112

**RE: Commonwealth of Virginia v. Tanna Shelton Fitzgerald  
Case Nos.: GC20-2585; 2586; 2587**

Dear Ms. Prillaman:

This letter is to inform you that I have been appointed to represent Tanna Shelton Fitzgerald in the above-captioned matters, which is scheduled in your court for **August 17, 2020 at 2:00pm.**

If you have any further questions, please do not hesitate to contact my office, I remain

Very truly yours,



Michael A. Nicholas

MAN/bje

# WARRANT OF ARREST - FELONY

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

Henry  General District Court  Criminal  Traffic  
 Juvenile and Domestic Relations District Court  
CITY OR COUNTY

### 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 05/13/2020 did unlawfully and feloniously in violation of Section

18.2-22/18.2-32, Code of Virginia: willfully, deliberately, and with premeditation conspire to kill and murder Pamela Morse.

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

Spec. Ag. Wade, M.T./VSP #4122 Virginia State Police, Complainant.

### CCRE/Fingerprinting Required

05/20/2020 09:11 AM  
DATE AND TIME ISSUED

[Signature]  
 CLERK  MAGISTRATE  JUDGE  
F. Dasko

TAKE BUCCAL SAMPLE IF LIDS SHOWS NO DNA SAMPLE IN DATA BANK  
FORM DC-312 (MASTER, PAGE ONE OF TWO) 10/13

Check if sample previously taken: \_\_\_\_\_ Check if sample taken for this arrest: \_\_\_\_\_

CASE NO. C20-2586

ACCUSED:  
FITZGERALD, TANNA SHELTON  
LAST NAME, FIRST NAME, MIDDLE NAME  
190 Clyde Prillamen  
ADDRESS/LOCATION  
Fieldale, VA 24089

COMPLETE DATA BELOW IF KNOWN

RACE	SEX	BORN			HT.		WGT.	EYES	HAIR
		MO.	DAY	YR.	FT.	IN.			
W	F	02	21	1966	5'	01"	112	BRO	RED

SSN 241-04-7490

D.L.# F23843864 STATE VA

Commercial Driver's License

**CLASS 5 FELONY**

EXECUTED by arresting the Accused named above on this day:  
05/20/2020 3:22 PM  
DATE AND TIME OF SERVICE

SA Rick Enley Arresting Officer  
4198 VSP 044  
BADGE NO., AGENCY AND JURISDICTION

for \_\_\_\_\_ SHERIFF

Attorney for the Accused:  
Michael Nicholas (CAA)

Short Offense Description (not a legal definition):  
**MURDER: 1ST DEGREE Conspiracy**

Offense Tracking Number:  
**089GM2000002587**

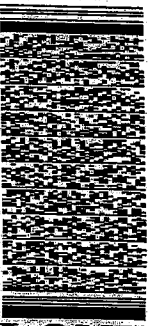
FOR ADMINISTRATIVE USE ONLY  
Virginia Crime Code: **MUR-0925-C2**

# F

5-21-2020  
8:15am

Hearing Date/Time  
5-28-20 10:00am (B4)

8-17-2020  
2:00pm



# FELONY

**WAIVER OF PRELIMINARY HEARING**

Understanding my right to a preliminary hearing before the Court named in this warrant to determine whether there is probable cause to believe that I committed a felony AND having the consequences of my waiver explained to me by the Judge of this Court, I nevertheless WAIVE MY RIGHT TO A PRELIMINARY HEARING on the felony charged in this warrant. Certified to the Circuit Court of this jurisdiction.

Offense Tracking Number 089GM2000002587

**Preliminary Hearing Costs**

120 Ct. Appt. Atty	\$ .....
113 Court Reporter	.....
113 Witness	.....
TOTAL	.....

ACCUSED

DATE

ATTORNEY FOR ACCUSED

JUDGE

The Accused named within was brought before me or appeared this day, and upon hearing the evidence, I order the case certified to the grand jury of this jurisdiction, at its next term date, having found probable cause to believe that the Accused committed the felony charged in this warrant.

Bail on certification \$ .....

I ORDER the accused discharged at preliminary hearing and the charge is dismissed.

The charge was reduced to .....  
The Accused was this day:  tried in absence  present

PROSECUTING ATTORNEY PRESENT (NAME)

DEFENDANT'S ATTORNEY PRESENT (NAME)

NO ATTORNEY  ATTORNEY WAIVED

Interpreter present  Witnesses sworn

Certified pursuant to § 19.2-190.1.

Plea of Accused:  not guilty  guilty  nolo contendere

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.

Plea and Recommendation

And was TRIED and FOUND by me:

not guilty  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.

DATE

JUDGE

And was FOUND by me to be:  carrying hazardous materials

driving a commercial motor vehicle

I ORDER a nolle prosequi on the prosecution's motion

I ORDER the charge dismissed  with prejudice

conditioned upon payment of costs and

successful completion of  traffic school

mature driver school, § 16.1-69.48.1

accord and satisfaction, § 19.2-151.

under §§ 4.1-305, 18.2-57.3, 18.2-251 or 19.2-303.2.

Guilty - upon a violation of a term or condition of a deferred adjudication/disposition.

I impose the following Disposition:

FINE of \$ ..... with \$ ..... suspended

JAIL SENTENCE of ..... imposed,

of which ..... days mandatory minimum, with

..... suspended for a period

of ....., 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.

Serve jail sentence beginning .....

on weekends only

Work release  authorized if eligible  required

not authorized

Public work force  authorized  not authorized

on PROBATION for .....

VASAP  local community-based probation agency

Monitoring by GPS/other tracking device

DRIVER'S LICENSE suspended for .....

Restricted Driver's License per attached order

Ignition interlock for .....

RESTITUTION order incorporated

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 .....

Submit to FINGERPRINTING and photograph per attached order

Remanded for  FINGERPRINTING/CCRE Report

.....

DNA order incorporated

Bail on Appeal \$ .....

DATE

JUDGE

FINE

COSTS

461 FIXED MISD FEE

462 FIXED DRUG MISD FEE

001 INT CRIM CHILD FEE

113 WITNESS FEE

113 IGNITION INTERLOCK

113 DUI FEE

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

228 COURTHOUSE

CONSTRUCTION FEE

234 JAIL ADMISSION FEE

243 LOCAL TRAINING

ACADEMY FEE

244 COURTHOUSE

SECURITY FEE

OTHER (SPECIFY)

.....

.....

.....

TOTAL \$ .....

Stay of the proceedings pursuant to § 16.1-131.1

DATE

JUDGE

