



**COMMONWEALTH of VIRGINIA**  
*Office of the Attorney General*

**Jason S. Miyares**  
Attorney General

202 North 9th Street  
Richmond, Virginia 23219  
804-786-2071  
FAX 804-786-1991  
Virginia Relay Services  
800-828-1120

March 22, 2022

The Honorable John Vollino  
Clerk of Court  
Court of Appeals of Virginia  
100 North Ninth Street  
Richmond, Virginia 23219

**Re: Terence Jerome Richardson v. Commonwealth**  
**(s/k/a Terrence Jerome Richardson)**  
**CAV Record No. 0361-21-2**

**Notice of Citation to Supplemental Authority**

Dear Mr. Vollino:

Pursuant to Rule 5A:4A of the Rules of the Supreme Court of Virginia, the Commonwealth notifies the Court of its reliance on supplemental authority, namely, the Court's published order in *Parson v. Commonwealth*, \_\_ Va. App. \_\_, Record No. 0762-21-2 (Mar. 22, 2022). In *Parson*, this Court articulated for the first time "the effect that a knowing and voluntary guilty plea has on a petitioner's subsequent claim of actual innocence since the enactment of the [2020] statutory amendments." *Id.* at \*13. The Court distinguished the sparse guilty plea record in *In re Watford* by noting the detailed factual and evidentiary

proffer given by the prosecutor in *Parson. Id.* at \*13. Before *Parson* was issued, the Commonwealth similarly distinguished *Watford* in the instant case. Comm. Supp. Br. at 11–12. The Court dismissed Parson’s petition, noting its skepticism because Parson had pled guilty to secure the benefits of a plea bargain. *See Parson* at \*14.

Richardson petitions this Court for a writ of actual innocence after being permitted to avoid the death penalty by pleading guilty to the lesser-included offense of involuntary manslaughter. *See* Pet. Exh. C at 2 (amending capital murder indictment to involuntary manslaughter). The Commonwealth’s evidence at Richardson’s guilty plea hearing consisted of a proffer of the expected trial testimony of five witnesses, an autopsy report, a certificate of analysis, and the transcript of sworn testimony taken at the preliminary hearing. Pet. Exh. C at 5–10; Pet. Exh. A.

The Commonwealth submits that the factual and evidentiary proffer given by the prosecutor in Richardson’s case is of similar veracity and import to that which was made in *Parson*. *See Parson* at \*14. The logic this Court applied to Parson’s “self-interested prevarication” is similarly applicable to petitioner Richardson. *See Parson* at \*14. In light of *Parson*, it is even less likely that a rational fact finder would have sympathy for petitioner Richardson’s present protestations of innocence.

I would appreciate it if you would circulate this Notice to the Judges of the Court. Please do not hesitate to contact me with any questions or concerns.

Yours sincerely,

/s/ Brandon T. Wroblewski

Special Assistant to the Attorney General  
for Investigations  
Virginia State Bar No. 89697

cc: Jarrett Adams, Esq., Counsel for Terrence Richardson  
Michael HuYoung, Esq., Counsel for Terrence Richardson