

SUPREME COURT OF VIRGINIA



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

Granted Appeal Summary

Case

WESLEY ADAM WILLIAMS v. HAROLD W. CLARKE, DIRECTOR
(Record Number 210294)

From

The Circuit Court of Rockingham County.

Counsel

David B. Hargett (Hargett Law, P.L.C.) for appellant.

Craig W. Stallard (Office of the Attorney General) for appellee.

Assignments of Error

- I. The circuit court erred in ruling that counsel was not deficient and there was no prejudice when counsel did not argue lack of intent to the jury.
- II. The circuit court erred in ruling that counsel was not deficient and there was no prejudice when counsel did not request and argue to the jury an instruction that voluntary intoxication is a defense to attempted capital murder.
- III. The circuit court erred in ruling that counsel was not deficient and there was no prejudice when counsel did not request that the court answer the jury's question of whether firing into the air can support a charge of attempted murder.
- IV. The circuit court erred in ruling on the performance and prejudice prongs without holding an evidentiary hearing.