ASSIGNMENTS OF ERROR

1. The Trial Court erred in its decision finding authority to apply the Writ of Coram Vobis, or alternatively the Writ of Audita Querela, as an appropriate remedy. (Joint Appendix at 83, 149-153, 176)

2. The Trial Court erred in granting Appellee relief under the Writ of Coram Vobis. (Joint Appendix at 177, 469-473)

QUESTIONS PRESENTED

1. Did the Trial Court err in its decision finding authority to apply the Writ of Coram Vobis, or alternatively the Writ of Audita Querela, as an appropriate remedy?

2. Did the Trial Court err in granting Appellee relief under the Writ of Coram Vobis?

STATEMENT OF MATERIAL PROCEEDINGS

On July 15, 1997, Appellee, Mr. Emmanuel Morris, appeared in the Circuit Court for Alexandria City before the Honorable Donald M. Haddock, and entered a plea of guilty to petit larceny, pursuant to a plea agreement to reduce the original charge of grand larceny. (Joint Appendix, hereinafter "App." at 1-4). Per the plea agreement, Mr. Morris was sentenced to jail for a term of twelve months, with all but thirty days suspended.

On May 21, 2009, Mr. Morris filed a petition seeking relief in the form of a Writ of Error Coram Vobis or, in the alternative, Writ of Audita Querela. (App. at 6-37).