

# VIRGINIA ACTS OF ASSEMBLY -- 2007 SESSION

## CHAPTER 414

*An Act to amend and reenact § 19.2-409 of the Code of Virginia, relating to tolling speedy trial statute pending finality of pretrial appeal by the Commonwealth.*

[H 2569]

Approved March 15, 2007

**Be it enacted by the General Assembly of Virginia:**

**1. That § 19.2-409 of the Code of Virginia is amended and reenacted as follows:**

§ 19.2-409. Exclusion of pretrial appeal period from time within which accused must be tried; reconsideration of issues after conviction.

This section applies only to pretrial appeals. The provisions of § 19.2-243 shall not apply to the period of time commencing when the Commonwealth's notice of pretrial appeal is filed pursuant to this chapter and ending ~~when~~ *60 days after* the Court of Appeals or Supreme Court issues its mandate disposing of the pretrial appeal. Such finality of the Court of Appeals' decision shall not preclude a defendant, if he is convicted, from requesting the Court of Appeals or Supreme Court on direct appeal to reconsider an issue which was the subject of the pretrial appeal.