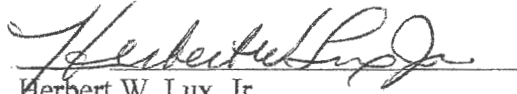


Affidavit and Complaint

On or about March 13, 2011, Commonwealth's Attorney, William F. Neely did procure, Deputy Sheriff, 1st Sergeant, Barbara Harvey, 111 S.S.O to give false testimony in violation of Virginia Code Section 18.2-436, to Magistrate, Carl E. Failmezger. After having an oath lawfully administered by Magistrate, Carl E. Failmezger, Deputy Sheriff, 1st Sergeant, Barbara Harvey, 111 S.S.O, did willfully swear falsely, in violation of Virginia Code Section 18.2-434, giving false testimony to Magistrate, Carl E. Failmezger, causing a Warrant of Arrest to be issued against Herbert W. Lux, falsely swearing, that said Lux did, "knowingly attempt to intimidate or impede by threats or by force a juror lawfully engaged in duties as such" in violation of Virginia Code Section 18.2-460.

Warrant of Arrest of Hebert W Lux, for violation of 18.2-460, attached as exhibit 1.

This is true and correct, to the best of my knowledge, information and belief, signed this 3rd day of September 2014.


Herbert W. Lux, Jr.
6205 Plank Rd
Fredericksburg, VA 22407
540-846-8212

I, Herbert W. Lux, Jr. ask that a Warrant of Arrest be issued against William F. Neely 9111 Courthouse Road, Spotsylvania, VA 22553, for violation of Virginia Code Section, 18.2-436 without delay, as required by Virginia Code Section 19.2-72.

Herbert W. Lux, Jr. Personally appeared before me Steven Mark PinCUS
Notary

this 3rd day of September, 2014 who being by me first duly sworn, on his oath to the above

Affidavit. Steven Mark PinCUS My commission expires April 30, 2018
Signed



STEVEN MARK PINCUS
NOTARY PUBLIC 7583339
COMMONWEALTH OF VIRGINIA

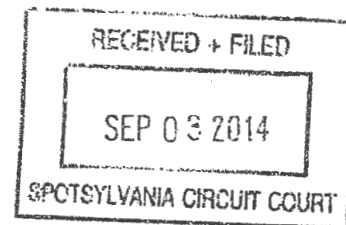
MY COMMISSION EXPIRES APRIL 30, 2018

Commonwealth's Attorney, William F. Neely, did procure, in violation of Virginia Code Section 18.2-436, Deputy Sheriff, 1st Sergeant, Barbara Harvey, who testified falsely on March 13, 2011, in violation of Virginia Code Section 18.2-434.

18.2-436. Inducing another to give false testimony; sufficiency of evidence.

If any person procure or induce another to commit perjury or to give false testimony under oath in violation of any provision of this article, he shall be punished as prescribed in § 18.2-434.

In any prosecution under this section, it shall be sufficient to prove that the person alleged to have given false testimony shall have been procured, induced, counseled or advised to give such testimony by the party charged.



WARRANT OF ARREST—MISDEMEANOR (STATE)

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

Spotsylvania
CITY OR COUNTY

General District Court Criminal Traffic
 Juvenile and Domestic Relations District Court

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 02/13/2011 did unlawfully in violation of Section

18.2-460, Code of Virginia: knowingly attempt to intimidate or impede by threats or by force a juror lawfully engaged in duties as such, other than duties relating to a violation of or conspiracy to violate § 18.2-248 or subdivision [a][3], [b] or [c] of § 18.2-248.1, or § 18.2-46.2 or § 18.2-46.3, or a violation of or conspiracy to violate a violent felony offense listed in subsection C of § 17.1-805.

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

1ST SGT HARVEY, B. 111 S.S.O., Complainant.

Execution by summons permitted at officer's discretion. not permitted.

03/13/2011 04:05 PM

DATE AND TIME ISSUED

Carl E. Failmezger
 CLERK MAGISTRATE JUDGE
Carl E. Failmezger

SUMMONS (If authorized above and by serving officer)

You are hereby commanded to appear before this court located at
Judicial Center, 1st Floor Spotsylvania, VA 22553-0114

on _____ at _____ AM/PM.

I promise to appear in accordance with this Summons and certify that my mailing address as shown at right is correct.

ACCUSED

CCRE May be Required

WARNING TO ACCUSED: You may be tried and convicted in your absence if you fail to appear in response to this Summons. Willful failure to appear is a separate offense.

SIGNING THIS NOTICE DOES NOT CONSTITUTE AN ADMISSION OF GUILT.

CASE NO.

ACCUSED:

Lux, Herbert W

LAST NAME, FIRST NAME, MIDDLE NAME

6205 Plank Rd.

ADDRESS/LOCATION

Fredericksburg, VA 22407

To be completed upon service as Summons

Mailing address Same as above

RACE	SEX	BORN	HT.	WGT.	EYES	HAIR
		MO. DAY YR.	FT. IN.			
W	M	10/21/1950	5' 08"	165	BLU	GRY

SSN

090-40-4013

DL#

A63413422

STATE

VA

CLASS 1 MISDEMEANOR

- EXECUTED by arresting the Accused named above on this day:
- EXECUTED by summoning the Accused named above on this day:
- For legal entities other than individuals, service pursuant to Va. Code § 19.2-76.

3.13.11 1615

DATE AND TIME OF SERVICE

1st Sgt. B. Harvey #111, ARRESTING OFFICER

Spotsy. S.O. 088

BARGE NO., AGENCY AND JURISDICTION

for H.D. Smith

SHERIFF

Attorney for the Accused:

Short Offense Description (not a legal definition):
OBSTRUCT JUSTICE: OFFICIAL VICTIM, THREAT/FORCE

Offense Tracking Number:

177GM1100002925

FOR ADMINISTRATIVE USE ONLY

Virginia Crime Code:

JUS-4828-M1



Hearing Date/Time



STATE

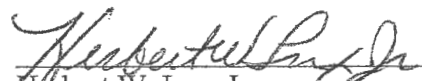
Affidavit and Complaint

On March 13, 2011, Commonwealth's Attorney, William F. Neely did procure, advise, Deputy Sheriff, 1st Sergeant, Barbara Harvey, 111 S.S.O to give false testimony in violation of Virginia Code Section 18.2-436, to Magistrate, Carl E. Failmezger that Herbert W. Lux was guilty of trespassing.

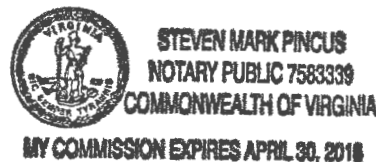
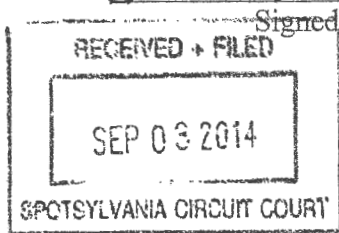
After having an oath lawfully administered by Spotsylvania County Magistrate, Carl E. Failmezger, Deputy Sheriff, 1st Sergeant, Barbara Harvey, 111 S.S.O, did willfully give false testimony, in violation of Virginia Code Section 18.2-434, that Herbert W. Lux did trespass on the property of Deborah Dama in violation of Virginia Code Section 18.2-119 causing a Warrant of Arrest to be issued against said Lux. This was done knowing that Herbert W. Lux was not guilty of trespassing.

A Warrant of Arrest was issued Hebert W Lux, for violation of 18.2-119, attached as exhibit 1.

This is true and correct, to the best of my knowledge, information and belief, signed this 3rd day of September, 2014.


Herbert W. Lux, Jr.
6205 Plank Rd
Fredericksburg, VA 22407
540-846-8212

Herbert W. Lux, Jr. Personally appeared before me Steven Mark Pincus
Notary
this 3rd day of September, 2014 who being by me first duly sworn, on his oath to the above
Affidavit. Steven Mark Pincus My commission expires April 30, 2018



18.2-436. Inducing another to give false testimony; sufficiency of evidence.

If any person procure or induce another to commit perjury or to give false testimony under oath in violation of any provision of this article, he shall be punished as prescribed in § 18.2-434.

In any prosecution under this section, it shall be sufficient to prove that the person alleged to have given false testimony shall have been procured, induced, counseled or advised to give such testimony by the party charged.

I, Herbert W. Lux, Jr. ask that a Warrant of Arrest be issued against William F. Neely 9111 Courthouse Road, Spotsylvania, VA 22553, for violation of Virginia Code Section, 18.2-436 without delay, as required by Virginia Code Section 19.2-72.

WARRANT OF ARREST—MISDEMEANOR (STATE)

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

Spotsylvania
CITY OR COUNTY

General District Court Criminal Traffic
 Juvenile and Domestic Relations District Court

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 02/13/2011 did unlawfully in violation of Section

18.2-119

, Code of Virginia: without authority, trespass or remain upon the property of Deborah Dama, after having been forbidden to do so by an authorized individual.

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

1ST SGT HARVEY, B. 111 S.S.O., Complainant.

Execution by summons permitted at officer's discretion. not permitted.

03/13/2011 03:57 PM

DATE AND TIME ISSUED

Carl E. Failmezger
 CLERK MAGISTRATE JUDGE
Carl E. Failmezger

SUMMONS (If authorized above and by serving officer)

You are hereby commanded to appear before this court located at Judicial Center, 1st Floor Spotsylvania, VA 22553-0114

on _____ at _____ AM/PM.

I promise to appear in accordance with this Summons and certify that my mailing address as shown at right is correct.

ACCUSED

CCRE May be Required

WARNING TO ACCUSED: You may be tried and convicted in your absence if you fail to appear in response to this Summons. Willful failure to appear is a separate offense.

SIGNING THIS NOTICE DOES NOT CONSTITUTE AN ADMISSION OF GUILT.

CASE NO.

ACCUSED:

lux, herbert w

LAST NAME, FIRST NAME, MIDDLE NAME

6205 Plank Rd.

ADDRESS/LOCATION

Fredericksburg, VA 22407

To be completed upon service as Summons

Mailing address Same as above

RACE	SEX	BORN	HT.	WGT.	EYES	HAIR
		MO. DAY YR.	FT. IN.			
W	M	10/21/1950	5' 08"	165	BLU	GRY

SSN

090-40-4013

DL#

A63413422

STATE

VA

CLASS 1 MISDEMEANOR

- EXECUTED by arresting the Accused named above on this day:
- EXECUTED by summoning the Accused named above on this day:
- For legal entities other than individuals, service pursuant to Va. Code § 19.2-76.

3.13.11 11:00
DATE AND TIME OF SERVICE

1st Sgt B. Harvey #111, ARRESTING OFFICER

Spotsy S.O. 088
BADGE NO., AGENCY AND JURISDICTION

for H.D. Smith
SHERIFF

Attorney for the Accused:

Short Offense Description (not a legal definition):
TRESPASS: AFTER BEING FORBIDDEN TO DO SO

Offense Tracking Number:

177GM1100002924

FOR ADMINISTRATIVE USE ONLY

Virginia Crime Code:



Hearing Date/Time



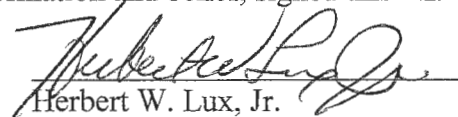
STATE

Affidavit and Complaint

William F. Neely procured, induced, counseled or otherwise advised Deputy Sheriff, 1st Sergeant, Barbara Harvey, to commit perjury or to give false testimony as stated below by Harvey, in violation of Virginia Code Section 18.2-436.

On August 22, 2012, Deputy Sheriff, 1st Sergeant, Barbara Harvey, 111 S.S.O, after having an oath lawfully administered in the Circuit Court to tell the truth, in Commonwealth v Herbert W. Lux, Jr. CR11000789-00, CR11000790, and CR11000791, did knowingly, give false testimony. Harvey was asked on the witness stand while under oath about an alleged conversation with Herbert W. Lux, Jr. on March 12, 2011, alleged to have taken place in the parking lot of Bloom, at Salem Fields, by William F. Neely. Neely asked "What did you tell Mr. Lux?" Answer Harvey, "I asked if he had been at the home of the juror. He advised yes, he had." Harvey, willfully swearing falsely on such occasion touching material matters or things before the Court, in violation of Virginia Code Section 18.2-434.

This is true and correct, to the best of my knowledge, information and belief, signed this 4th day of September, 2014.


Herbert W. Lux, Jr.
6205 Plank Rd
Fredericksburg, VA 22407
540-846-8212

Herbert W. Lux, Jr. Personally appeared before me Steven Mark Pincus
Notary
this 5th day of September, 2014 who being by me first duly sworn, on his oath to the above
Affidavit. Steven Mark Pincus My commission expires April 30, 2018
Signed



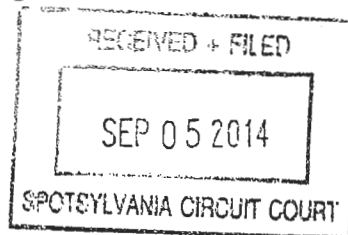
18.2-436. Inducing another to give false testimony; sufficiency of evidence.

If any person procure or induce another to commit perjury or to give false testimony under oath in violation of any provision of this article, he shall be punished as prescribed in § 18.2-434.

In any prosecution under this section, it shall be sufficient to prove that the person alleged to have given false testimony shall have been procured, induced, counseled or advised to give such testimony by the party charged.

I, Herbert W. Lux, Jr. ask that a Warrant of Arrest be issued against William F. Neely 9111 Courthouse Road, Spotsylvania, VA 22553, for violation of Virginia Code Section, 18.2-436 without delay, as required by Virginia Code Section 19.2-72.

A COPY TESTE:
Christalyn M. Jett, Clerk
By: [Signature]
9-5-14 Deputy Clerk



Affidavit and Complaint

William F. Neely procured, induced, counseled or otherwise advised Deputy Sheriff, 1st Sergeant, Barbara Harvey, to commit perjury or to give false testimony as stated below by Harvey, in violation of Virginia Code Section 18.2-436.

On August 22, 2012, Deputy Sheriff, 1st Sergeant, Barbara Harvey, 111 S.S.O, after having an oath lawfully administered in the Circuit Court to tell the truth, in Commonwealth v Herbert W. Lux, Jr. CR11000789-00, CR11000790, and CR11000791, did knowingly, give false testimony. Harvey was asked on the witness stand while under oath about an alleged conversation with Herbert W. Lux, Jr. on March 12, 2011, alleged to have taken place in the parking lot of Bloom, at Salem Fields, by William F. Neely. Neely asked "What else did he say" Answer, Harvey, "After admitting to me that he had been at the juror's home, I then advised him that he was no longer able to go to any more juror's homes, and that if he did go to another juror's home that was on the list that he had that he would be arrested for trespassing." Harvey, willfully swearing falsely on such occasion, touching material matters or things before the Court, in violation of Virginia Code Section 18.2-434.

This is true and correct, to the best of my knowledge, information and belief, signed this 4th day of September, 2014.

Herbert W. Lux, Jr.
Herbert W. Lux, Jr.

6205 Plank Rd
Fredericksburg, VA 22407
540-846-8212

A COPY TESTE:

Christalyn M. Jett, Clerk

By: *Christalyn M. Jett*
Deputy Clerk

9-5-14

Herbert W. Lux, Jr. Personally appeared before me Steven Mark Pincus
Notary

this 5th day of September, 2014 who being by me first duly sworn, on his oath to the above

Affidavit. Steven Mark Pincus My commission expires April 30, 2018
Signed



STEVEN MARK PINCUS
NOTARY PUBLIC 7583339
COMMONWEALTH OF VIRGINIA

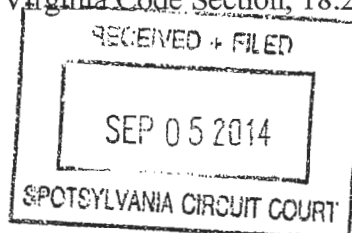
MY COMMISSION EXPIRES APRIL 30, 2018

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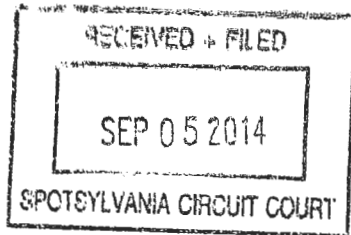


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This is true and correct, to the best of my knowledge, information and belief, signed this 5th day of September, 2014.



Herbert W. Lux, Jr.
Herbert W. Lux, Jr.
6205 Plank Rd
Fredericksburg, VA 22407
540-846-8212

Herbert W. Lux, Jr. Personally appeared before me Steven Mark Pincus
Notary

this 5th day of September, 2014 who being by me first duly sworn, on his oath to the above

Affidavit. Steven Mark Pincus My commission expires April 30, 2018
Signed

A COPY TESTE:

Christalyn M. Jett, Clerk

By: Melissa Jeffrey
Deputy Clerk

9-5-14



STEVEN MARK PINCUS
NOTARY PUBLIC 7583339
COMMONWEALTH OF VIRGINIA

MY COMMISSION EXPIRES APRIL 30, 2018

18.2-436. Inducing another to give false testimony; sufficiency of evidence.

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Affidavit and Complaint

William F. Neely procured, induced, counseled or otherwise advised Deputy Sheriff, 1st Sergeant, Barbara Harvey, to commit perjury or to give false testimony as stated below by Harvey, in violation of Virginia Code Section 18.2-436.

On August 22, 2012, Deputy Sheriff, 1st Sergeant, Barbara Harvey, 111 S.S.O, after having an oath lawfully administered in the Circuit Court to tell the truth, in Commonwealth v Herbert W. Lux, Jr. CR11000789-00, CR11000790, and CR11000791, did knowingly, give false testimony. Harvey was asked on the witness stand while under oath about an alleged conversation with Herbert W. Lux, Jr. on March 12, 2011, alleged to have taken place in the parking lot of Bloom, at Salem Fields, by William F. Neely. Neely asked when referring to a jury list, "But he told you he had one?" Answer, Harvey, "He stated he had it." Harvey, willfully swearing falsely on such occasion, touching material matters or things before the Court, in violation of Virginia Code Section 18.2-434.

This is true and correct, to the best of my knowledge, information and belief, signed this 4th day of September, 2014.

Herbert W. Lux, Jr.
Herbert W. Lux, Jr.
6205 Plank Rd
Fredericksburg, VA 22407
540-846-8212

Herbert W. Lux, Jr. Personally appeared before me Steven Mark Pincus
Notary
this 5th day of September, 2014 who being by me first duly sworn, on his oath to the above

Affidavit. Steven Mark Pincus My commission expires April 30, 2018
Signed



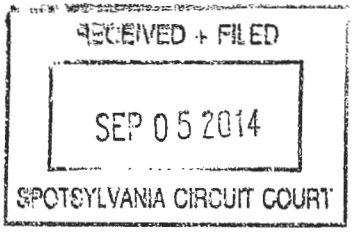
18.2-436. Inducing another to give false testimony; sufficiency of evidence.

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A COPY TESTE:
Christalyn M. Jett, Clerk
By: Melissa Jeffrey
Deputy Clerk
9-5-14



Affidavit and Complaint

William F. Neely procured, induced, counseled or otherwise advised Deputy Sheriff, 1st Sergeant, Barbara Harvey, to commit perjury or to give false testimony as stated below by Harvey, in violation of Virginia Code Section 18.2-436.

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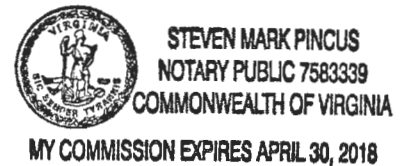
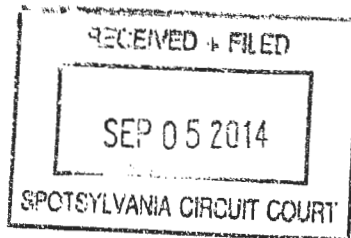
This is true and correct, to the best of my knowledge, information and belief, signed this 4th day of September, 2014.

Herbert W. Lux, Jr.
Herbert W. Lux, Jr.
6205 Plank Rd
Fredericksburg, VA 22407
540-846-8212

Herbert W. Lux, Jr. Personally appeared before me Steven Mark Pincus
Notary

this 5th day of September, 2014 who being by me first duly sworn, on his oath to the above

Affidavit. Steven Mark Pincus My commission expires April 30, 2018
Signed



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I, Herbert W. Lux, Jr. ask that a Warrant of Arrest be issued against William F. Neely 9111 Courthouse Road, Spotsylvania, VA 22553, for violation of Virginia Code Section, 18.2-436 without delay, as required by Virginia Code Section 19.2-72.

A COPY TESTE:

Christalyn M. Jett, Clerk

By: *Melissa Wayney*
Deputy Clerk

9-5-14